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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

JUL 9 - 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 13, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

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The Clerk of the Board's Office TTY number is (415) 554-5227.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the May 25, 2004, June 8, 2004 and June 15, 2004 Meeting Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. 040638 [Emergency Interim Agreement for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]
Resolution approving the Emergency Interim Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn, and a Transition Agreement between the City, San Francisco AutoReturn, and City Tow.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

2. **040708 [Contracting out Services - Interim Emergency Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles]**
Resolution concurring with Controller's certification that it is more economical to contract for an Interim Emergency Service Agreement for Towing, Storage and Disposal of Abandoned and Illegally parked Vehicles than to provide the same services with City and County Employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Peskin

3. **040663 [Contracting out Parking Meter Management System]**
Resolution concurring with Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

4. **040821 [2005 Finance Corporation Equipment Program]**
Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 12 (Series 2005A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed \$11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Daly, Peskin, Annuino

5. 040827 [Amendment to Paratransit Broker Agreement]

Mayor

Resolution approving Amendment No. 3A to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to increase the contract amount by \$15,308,656 for a total contract amount not to exceed \$92,641,933, in order to meet the increased demand and costs for paratransit service during the term of the Agreement.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

6. 040749 [Mayor's Fund for the Homeless]

Ordinance amending San Francisco Administrative Code section 10.100-106 to transfer administration of the Mayor's Fund for the Homeless to the director of the Department of Public Health.
(Mayor)

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 040756 [Permitting the City to offer services to governmental entities that it offers to private parties and to offer services to utilities]

Ordinance amending Administrative Code Chapter 10B to add Section 10B.21 to permit the City to offer services to governmental entities that it offers to private parties and to offer services to utilities.
(Mayor)

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040762 [Salary and Wage Deductions]

Ordinance amending the San Francisco Administrative Code, Chapter 16, Article V by amending Section 16.93 to allow deductions and collections to be made for San Francisco City Services Preservation Fund.
(Mayor)

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 040871 [Appropriate funding for San Francisco General and Laguna Honda Hospital operations]
Mayor

Ordinance appropriating \$11,155,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and services of other departments at San Francisco General Hospital and \$1,152,000 in surplus revenues for services of other departments for Laguna Honda Hospital for a total of \$12,307,000 for the Public Health Department for fiscal year 2003-04.

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 040873 [Appropriate funding for the Port of San Francisco to certify the construction phase of the design/build contract for the intermodal bridge, also known as the Illinois Street Bridge]
Mayor
Ordinance appropriating \$9,998,139 to fund the certification of the construction phase of a design/build contract awarded to Shimmick Construction Company to build an intermodal bridge along Illinois Street over Islasis Creek (also known as The Illinois Street Bridge). Total funding sources include \$3,581,080 from the Port of San Francisco's unappropriated fund balance, \$4,300,000 in contributions from Catellus Corporation and \$2,117,059 from environmental impact mitigation fees.
(Fiscal impact.)

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

11. 040664 [Settlement of Lawsuit - Joyce Vanman]
Ordinance authorizing settlement of the lawsuit filed by Joyce Vanman against the City and County of San Francisco for \$175,000; the lawsuit was filed on February 8, 2001 in San Francisco Superior Court, Case No. 318-756; entitled Joyce Vanman v. City and County of San Francisco.
(City Attorney)

6/29/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 040665 [Settlement of Lawsuit - Jerry Cheng and Le Quan Phung]
Ordinance authorizing settlement of the lawsuit filed by Jerry Cheng and Le Quan Phung against the City and County of San Francisco for \$29,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-620; entitled Jerry Cheng and Le Quan Phung, et al., v. City and County of San Francisco, et al; other material terms of said settlement are each party to bear their own fees and expenses.
(City Attorney)

6/29/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 040697 [Settlement of Lawsuit - Caleb Mather]
Ordinance authorizing settlement of the lawsuit filed by Caleb Mather against the City and County of San Francisco for \$45,000; the lawsuit was filed on July 10, 2002 in San Francisco Superior Court, Case No. 410-262; entitled Caleb Mather, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/29/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

14. 040750 [Setting fees for certain services provided by the Medical Examiner and increasing fees for other services]
Ordinance amending San Francisco Administrative Code Section 8.14, by raising the fee for removal of remains and adding fees for direct cremation of remains; preparing of toxicology specimen for shipment for retest by private lab; and specimen storage; and making environmental findings.
(Mayor)

6/29/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

15. 040872 [Appropriate funding for the over expenditure in Trial Courts, District Attorney, Fire, and Sheriff]
Mayor
Ordinance appropriating \$500,000 from the Un-appropriated Revenue to fund over expenditure in legal expenses pertaining to the indigent defense program at Trial Courts; appropriating \$552,089 from departmental revenues to fund over expenditure in District Attorney work order for Police Overtime; appropriating \$3,149,000 from departmental revenues and recoveries to fund over expenditure in Fire salaries; and releasing \$3,250,000 from reserve and appropriating to Sheriff debt service and re-appropriating departmental general fund to pay for over expenditures in salaries for fiscal year 2003-04.

6/29/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

16. **040709** **[Dismissal of Lawsuit - Scott Co. of California, et al.]**
Ordinance authorizing dismissal of the lawsuit filed by the City and County of San Francisco against Scott Co. of California, Al Norman Plumbing Company, Inc., Scott-Norman Mechanical, Inc., Richard W. Davis, Joseph A. Guglielmo, Alvin P. Norman, Jaqueline Norman and Robert T. Nurisso; the lawsuit was filed on September 23, 1999 in San Francisco Superior Court, Case No. 306-623; entitled City and County of San Francisco, et al., v. Scott Co. of California, et al.
(City Attorney)

6/29/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. **040648** **[Charter Amendment - Establishing Rent Board in Charter, Mayor appoints three members and Board of Supervisors appoints four, renter and non-renter seats allocated per census data percentages of each]**
Supervisor Daly
Charter amendment (First Draft) by adding Section 4.135 to establish the Residential Rent Stabilization and Arbitration Board in the Charter, to increase its membership from five to seven members, to provide that the Mayor will appoint three members and the Board of Supervisors will appoint four members, and to allocate the seven seats among renters and non-renters according to the percentages of renter occupied housing units and owner occupied housing units in San Francisco as reported in the ten-year federal census.

6/29/2004, CONTINUED. Continued to July 13, 2004

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

18. 040781 **[Annual Budget, Fiscal Year 2004-05]**
 Supervisor Sandoval
 Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2004-2005.
 Supervisor Daly dissented in Committee.
 (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)
- Question: Shall this Motion be APPROVED?
19. 040725 **[Government Funding for Fiscal Year 2004-2005]**
 Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
 (Mayor)
 (Fiscal impact.)
 Supervisor Daly dissented in Committee.
 (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
20. 040726 **[Public Employment, Fiscal Year 2004-2005]**
 Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
 (Mayor)
 Supervisor Daly dissented in Committee.
 (Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 040784 [Treasure Island Development Authority Budget]**Mayor**

Resolution approving the budget of the Treasure Island Development Authority for Fiscal Year 2004-2005 and authorizing the Treasure Island Development Authority to enter into an Agency Agreement with the San Francisco Redevelopment Agency for the provision of employee services.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Sandoval, Daly

22. 040728 [Redevelopment Agency Budget and Bonds, Fiscal Year 2004-2005]

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2004-2005; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed \$68,000,000 for the purpose of financing redevelopment activities in fiscal year 2004-2005.
(Mayor)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Sandoval, McGoldrick

23. 040730 [Establishing Arts Commission Civic Design Review Fees]

Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040732 [Chlorofluorocarbon Recovery and Recycling Fees]

Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 040733 [Hazardous Waste Management Fees]

Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 040734 [Medical Waste Generator Registration, Permitting, Inspections Fees]
Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 040735 [Risk Management Program Fees]
Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 040736 [Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]
Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from \$250 to \$500.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 040738 [Amending the San Francisco Fire Code to Increase Fees for Service]
Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 040739 [Revising Annual Fire Department Permit Fees]
Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at \$240 per year, to become operative on January 1, 2005.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 040743 [Setting parking fees for City parking facilities]
Ordinance amending the San Francisco Administrative Code, by adding Section 4.24, to set a parking fee for City facilities, and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 040747 [Hazardous Materials Fees]

Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 040748 [Patient Rates]

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 040757 [Increasing the Emergency Response Fee imposed on telephone subscribers]

Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 040759 [Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]

Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 1.13-9, 1.15.1, 2A.221, 21.33 and 91.2, and amending the San Francisco Police Code by amending sections 674, 4903, 4904, 4905, 4908 and 4910, to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner-Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance and ordinances governing agreements with the State for pest detection, the establishment of fees for testing weighing and measuring devices, the inspection of commodities supplied to the City by contractors, the regulation of tobacco advertising, and the requirement that parking stations have Revenue Control Equipment.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Sandoval, Daly, McGoldrick

36. 040765 [Making Environmental Findings and Approving Department of Consumer Assurance's schedule of fees for weighing and measuring devices]
Resolution making environmental findings and approving a schedule of fees to be charged by the Department of Consumer Assurance for testing of weighing and measuring devices initiated by written request and for reinspecting, retesting and recertifying weighing and measuring devices found to be outside the tolerances of specifications set by the California Department of Food and Agriculture upon an initial inspection prescribed by California Business and Professions Code Section 12210(a).
(Mayor)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Sandoval, McGoldrick

37. 040764 [Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]
Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 040239 [Extending provisional appointments]
Resolution approving extension to January 31, 2005 of provisional appointments of employees in classifications 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 9343 Roofer, and H-30 Captain (Fire Department) and 60 promotive provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, and 0943 Manager VIII.
(Human Resources Department)

Question: Shall this Resolution be ADOPTED?

39. 040491 [Extending provisional appointments]
Resolution approving extension to January 31, 2005 of 42 entrance provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, and 0943 Manager VIII.

Question: Shall this Resolution be ADOPTED?

40. 040785 [Fiscal Emergency Proposition J Contract - Mainframe Support]**Mayor**

Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Sandoval, Daly, McGoldrick

41. 040767 [Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]

Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Budget Committee "Without Recommendation"

Present: Supervisors Sandoval, Daly, McGoldrick

42. 040729 [Waiver of storage fees for stolen vehicles owned by residents]

Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

43. 040746 [Economic and Workforce Development Department]

Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Services Committee

Present: Supervisors Dufty, Hall

44. 040684 [Public Information Pilot Project]

Supervisor Gonzalez

Resolution urging City Departments to share departmental database data for an informational pilot project with the San Francisco Survival Manual publication for the benefit of both community organizations and the larger city-wide community.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

45. 040540 [Prevailing wages in contracts for moving services; nonprofit organizations exclusion]

Supervisors Ammiano, Daly

Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin

46. 040766 [Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]

Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Ammiano

47. 040737 [Creating Working Families Credit Program and Fund]

Supervisors Ammiano, Daly

Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 040741 **[Eligibility of boards and commissions for health benefits]**
Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System.
(Mayor)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin

49. 040745 **[Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory maximum fee per unit, owner may recover up to 50 % of fee.]**
Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6: to provide that the annual Rent Board fee per unit billed to the owners will continue to be determined by the City Controller based on the total projected annual cost of funding the Rent Board divided by the number of rental units required to pay the fee, but that the Board of Supervisors would no longer be required to periodically enact a statutory maximum fee per unit; to eliminate the two-year sunset provision enacted in 2002 and provide that an owner may instead recover up to 50% of the annual fee for each unit from the occupants of the unit, instead of permitting recovery of \$21.50 per unit as provided during the last two years and instead of permitting recovery of 100% as provided in prior years; and, making environmental findings.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Daly, Peskin, Ammiano

50. 040876 **[Department of Human Services Cash Revolving Fund]**
Mayor
Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 040909 [Neighborhood Historical Resources Preservation Bonds]**Supervisor Peskin**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars (\$60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds. (Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

52. 040822 [Interdepartmental jurisdictional transfer of a portion of the Youth Guidance Center site] Mayor

Resolution Transferring Jurisdiction of Approximately Two Acres of the Youth Guidance Center Property, Located at 375 Woodside Avenue, San Francisco, and Identified as a Portion of Assessor's Block 2842, Lot 007, from the Juvenile Probation Department to the Real Estate Division of the Administrative Services Department To Hold in Trust for the Superior Court of the City and County of San Francisco for Future Court Uses In Exchange for the Fair Market Value of the Property; and Adopting Findings that the Transfer of Jurisdiction Is Consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

53. 040944 [Payment of Reward] Mayor

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.

Question: Shall this Ordinance be PASSED ON FIRST READING?

54. 040837 [Funding departmental energy use]
Supervisor Daly
Resolution adopting policy setting annual appropriations for General Fund Departments at levels sufficient to compensate Hetch Hetchy Water & Power for all electricity sales to such departments at a rate that at a minimum reflects the same cost of service principles outlined in the City Charter. (Sec.8B.125. Rates).
- Question: Shall this Resolution be ADOPTED?
55. 040943 [Contract with ValueOptions, Inc. to improve access to mental health treatment for children in foster care and other children placed outside of San Francisco]
Mayor
Resolution approving a contract with ValueOptions, Inc. to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2004 through June 30, 2005.
- Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee "Without Recommendation"

Present: Supervisors Daly, Peskin

56. 040714 [Grant of Federal Funds]
Resolution authorizing the Municipal Transportation Agency Board to Accept and Expend \$41,002,071 of Federal Formula Section 5307 and Congestion Mitigation for Air Quality Capital Assistance for San Francisco Capital Projects and activities, excluding Administrative Overhead Costs.
(Municipal Transportation Agency)
- Question: Shall this Resolution be ADOPTED?
- Present: Supervisors Daly, Peskin*
57. 040826 [Agreement for naming rights]
Mayor
Resolution approving and authorizing an agreement with the San Francisco Forty Niners, Ltd., for naming rights at the stadium.
Supervisor Daly dissented in Committee.
- Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

58. 040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]
Supervisor Hall
Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.
(Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

CALLED FROM COMMITTEE

59. 040592 [Payroll Expense Tax Exclusion for Biotechnology Business]
Supervisors Alioto-Pier, Ma
Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

6/29/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure from the Finance and Audits Committee for Board consideration July 13, 2004.
7/6/04: Notice of Matter Called out of Committee mailed and faxed.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**60. 040432 [Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street.
(Clerk of the Board)

Action: _____

61. 040433 [Report of assessment costs for sidewalk and curb repairs - DPW Order No. 174,747]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund, and amending Public Works Order No. 174,311 by deleting the assessed cost of sidewalk repairs at 449 Frederick Street.
(Public Works Department)
(DPW Work Order No. 174,747; Locations: 873 Alvarado Street; 850 Geary Street; 162-164 Langton Street; 168 Langton Street; 170-10th Street; and 3356/3360-24th Street.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole***(Pending approval of File 040968.)*

62. 040969 [Hearing - Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]
Hearing to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

63. 040954 [Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]
Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars (\$200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

The following items will be considered by the Rules Committee at a Special Meeting on Wednesday, July 7, 2004 at 11:00 a.m. The Chair may entertain a motion to send the following items to the Board on Tuesday, July 13, 2004 as committee reports.

64. 040642 [Charter Amendment - Authorizing health plans for City residents]

Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

65. 040643 [Charter Amendment - Health Service System]

Supervisor Daly

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the Rules Committee at a Recessed Meeting on Thursday, July 8, 2004 at 11:05 a.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, July 13, 2004 as a committee report.

66. 040644 [Charter Amendment - Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance; Violence Prevention Programs]
Supervisors Daly, Maxwell
- Charter amendment (Second Draft) by adding Section 16.126 to: establish a San Francisco Anti-Homicide Plan; require Police Department and District Attorney investigators to give homicide investigation a top priority; require full funding for forensic biology (DNA crime lab); create a Survivors' Advocate and a City fund to pay specified expenses for survivors of homicide victims; and, fund violence prevention programs identified in the Plan for the next five fiscal years in an amount not to exceed \$5 million per year.
- (Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

The following items will be considered by the Rules Committee at a Special Meeting on Thursday, July 8, 2004 at 11:00 a.m. The Chair may entertain a motion to send the following items to the Board on Tuesday, July 13, 2004 as committee reports.

67. 040641 [Charter Amendment - Office of Economic Analysis; Economic Development Plan]
Supervisor Alioto-Pier
- Charter amendment (First Draft) by adding Section 2.118, to create an Office of Economic Analysis under the Board of Supervisors, and by adding Section 16.124, to require the Office of Economic Analysis to prepare an annual Economic Development Plan for the City.
- (Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

68. 040647 [Charter Amendment - Board to set annual salary for Director of MTA, subject to \$250,000 cap; Board to approve Director's contract; Board's line item veto of expenditures and proposed fares in MTA budget; Controller to administer MTA quality review]
Supervisor Sandoval
- Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Question: Shall this Charter Amendment be SUBMITTED?

69. 040597 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides; Board of Education compensation]
Supervisor Gonzalez

Charter amendment (Third Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, 8.100, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; delete the specific number of Board aides set in the Charter; and, set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

6/15/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute Charter Amendment (Second Draft) bearing new title.

Question: Shall this Charter Amendment be SUBMITTED?

70. 040981 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]
Supervisor Gonzalez

Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

Question: Shall this Charter Amendment be SUBMITTED?

71. 040982 [Charter Amendment - Board of Education compensation]
Supervisor Gonzalez

Charter amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 8.100, to set the annual compensation of elected members of the Board of Education at half the beginning salary of a San Francisco Unified School District teacher.

Question: Shall this Charter Amendment be SUBMITTED?

72. 040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]**Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick**

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

Question: Shall this Charter Amendment be SUBMITTED?

The following item will be considered by the Rules Committee at a Special Meeting on Monday, July 12, 2004 at 11:00 a.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, July 13, 2004 as a committee report.

73. 040688 [Open Government Ordinance to provide for more public accessibility to policy body meetings and documents, and more public participation; safeguard the maintenance of records; make the Sunshine Ordinance Task Force a Commission]**Supervisor Daly**

Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.

(Fiscal impact.)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Finance and Audits Committee at a Special Meeting on Monday, July 12, 2004 at 11:00 a.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, July 13, 2004 as a committee report.

74. 040954 [Supportive and Affordable Rental Housing and Homeownership Bonds Special Election] Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars (\$200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

Question: Shall this Ordinance be PASSED ON FIRST READING?

75. 040751 [Transactions and Use Tax] Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code. (Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

76. 040758 [Business Tax]

Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

77. 040978 [Business Tax]

Supervisor Daly

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

78. 040979

[Business Tax]**Supervisor Ammiano**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax, until replaced through a subsequent voter-approved alternate business tax structure following a comprehensive analysis and report by the Controller based on two complete years of actual collections, on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, to a lower rate thereafter, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"); and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

79. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

80. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

81. 040721

[Payment of Attorneys Fees]

Ordinance authorizing payment of attorneys fees and costs incurred by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.
(City Attorney)

6/8/2004, CONTINUED. Continued to June 22, 2004

6/22/2004, CONTINUED. Continued to July 13, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee with Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

82. 040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007.

(City Attorney)

Supervisor Maxwell dissented in Committee.

6/8/2004, CONTINUED. Continued to June 22, 2004

6/22/2004, CONTINUED. Continued to July 13, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

83. 040711 [Closed Session - Existing Lawsuits and Unlitigated Claims, City as Defendant and as Petitioner]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claims and/or potential litigation filed against the City and County of San Francisco and by the City and County of San Francisco in connection with the employment and removal of Tammy Haygood as Director of the Department of Elections; and authorizing payment of attorneys fees and costs incurred by the City.

CITY AND COUNTY OF SAN FRANCISCO, PETITIONER V. CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF SAN FRANCISCO, RESPONDENT, TAMMY B. HAYGOOD, REAL PARTY IN INTEREST, filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387; TAMMY B. HAYGOOD V. MICHAEL MENDELSON, ET AL., filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA; and UNLITIGATED CLAIMS FILED WITH THE CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING, THE DEPARTMENT OF LABOR.

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or potential litigation.
(City Attorney)

6/8/2004, CONTINUED. Continued to June 22, 2004

6/22/2004, CONTINUED. Continued to July 13, 2004

Action: _____

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 84 through 97**84. 040968 [Committee of the Whole - Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance]****Supervisor Ammiano**

Motion authorizing the Board of Supervisors to sit as a Committee of the Whole on Tuesday, July 13, 2004 at 4:00 p.m. to consider Board File 040954, the Supportive and Affordable Rental Housing and Homeownership Bonds Special Election Ordinance.

7/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

85. 040945 [Authorizing Trial Courts to require payment of legal fees by defendants upon finding of ability to pay]
Supervisor Gonzalez
Resolution authorizing the San Francisco Trial Courts to require payment of legal fees by a defendant who is provided legal counsel through the Public Defender's Office or private counsel appointed by the court, upon a finding by the court that the defendant has the ability to pay all or part of the cost of legal assistance.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
86. 040956 [Supporting the Youth Commission changes to the MOU between SFUSD and the SFPD on School Resource Officers]
Supervisor Ammiano
Resolution supporting the San Francisco Youth Commission regarding the Memorandum of Understanding (MOU) between the San Francisco Unified School District (SFUSD) and the Police Department (SFPD) on School Resource Officers.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
87. 040957 [Commemorating the Chinatown Night Market Fair Grand Opening]
Supervisor Ma
Resolution commemorating the Chinatown Night Market Fair Grand Opening Celebration.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
88. 040958 [Residential Permit Parking Area "A" on Broadway and Jones Streets]
Supervisor Peskin
Resolution establishing Residential Permit Parking Area "A" on Broadway and Jones Streets.
- RESIDENTIAL PERMIT PARKING AREA "C" - RESCIND
RESIDENTIAL PERMIT PARKING AREA "A" - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).
Jones, both sides between Broadway Street and Pacific Avenue.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
89. 040959 [Perpendicular Parking on Broadway at Jones Street]
Supervisor Peskin
Resolution establishing perpendicular (90-Degree angle) Parking on the 1000 block of Broadway.
- PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Broadway, south side from Jones Street to 174 feet easterly (1000 block).
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

90. 040960 [Requesting DTIS to Evaluate and Make Recommendations on Stolen Vehicles]
Supervisor Dufty
Resolution requesting the Department of Telecommunications and Information Services (DTIS) to evaluate and make recommendations on the needed steps so that the San Francisco Department of Parking and Traffic and Police Department can share data on stolen vehicles.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
91. 040961 [Consolidation of BART Election – 11/2/04]
Supervisor Ammiano
Resolution consolidating the Bay Area Rapid Transit District Election for Director's Seat in District 8 and Special District Election for a Seismic Safety Bond to be held in the City and County of San Francisco on November 2, 2004 with the General Municipal Election scheduled for the same date, and providing that the election shall be the same as for the General Municipal Election.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
92. 040962 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 6/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
93. 040935 [Final Map for a 20 Unit Live/Work Condominium Project - Villa dei Fiori, 767 Bryant Street]
Motion approving Final Map of Villa dei Fiori, 767 Bryant Street, a Live/Work Condominium Project, being a subdivision of Lot 49 in Assessor's Block No. 3778, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,872; District 6.)
- 7/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
94. 040936 [Final Map for a 8 Unit Residential Condominium Project - 926 Grove Street]
Motion approving Final Map of 926 Grove Street, a Residential Condominium Project, being a subdivision of Lot 32 in Assessor's Block No. 798, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,873; District 5.)
- 7/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

95. 040937 [Final Map for a 250 Unit Residential Condominium Project - Mission Bay, 255 King Street]
Motion approving Final Map of Avalon at Mission Bay, 255 King Street, a Residential Condominium Project, being a subdivision of Parcel "A" Lot 10 in Assessor's Block No. 8706, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,874; District 6.)

7/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

96. 040964 [Final Map for a 34 Unit Mixed-Use Condominium Project - 280 Fell Street and 300 Gough]
Motion approving Final Map of 280 Fell Street and 300 Gough Street, a Mixed-Use Condominium Project, being a subdivision of Lot 8 in Assessor's Block No. 816, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,882; District 6.)

7/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

97. 040965 [Final Map for a 35 Unit Mixed-Use Condominium Project - 3435, 3445 and 3455 Geary Boulevard]
Motion approving Final Map of 3435, 3445 and 3455 Geary Boulevard, a Mixed-Use Condominium Project, being a subdivision of Lot 41 in Assessor's Block No. 1085, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 174,881; District 2.)

7/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda:* _____

98. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*[Imperative Resolutions, if any]***OFF-AGENDA LEGISLATION****PROPOSED ORDINANCES**

Proposed ordinances received from June 22, 2004 to July 2, 2004, for reference by President to appropriate committee on July 13, 2004.

040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue.
(Parking and Traffic Department)

6/23/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco.
(City Attorney)

7/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]

Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al.
(City Attorney)

7/1/2004. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 22, 2004 to July 2, 2004, for reference by President to appropriate committee on July 13, 2004.

040892 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Noriega Street at 25th Avenue, making this intersection an all-way STOP;

Olmstead Street, stopping westbound Olmstead Street at University Street;

Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled;

Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue, stopping the stem of this T-intersection;

Loehr Street, stopping Visitation Avenue at Loehr Street, making this intersection an all-way STOP; Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP;

Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and

Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/2004. RECEIVED AND ASSIGNED to Land Use Committee.

040893 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING ESTABLISH

Frederick Street, north side, from Delmar Street to 9 feet westerly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions; and

Cunningham Place, south side (60-foot zone), legalizing existing conditions.

NO PARKING ANYTIME - ESTABLISH

Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND**TOW-AWAY, NO PARKING ANYTIME - ESTABLISH**

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND

Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND

Howard Street, at 5th Street.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND**TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH**

Taylor Street, both sides, from Francisco Street to 124 feet northerly.

TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH

Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

NO PARKING ANYTIME - ESTABLISH

Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND

Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM,**MONDAY THROUGH FRIDAY) - ESTABLISH**

Roanoke Street, both sides, between Arlington Street and southern terminus.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND

Harrison Street, north side, between 11th Street and Norfolk Street.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040894 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MUNI VEHICLES ONLY - ESTABLISH

Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

ONE-WAY NORTHBOUND TRAFFIC DESIGNATION - RESCIND

Arago Street, between Havelock and Paulding Streets.

ONE-WAY STREET - ESTABLISH

Hattie Street, southbound, between Market and 18th Streets; and

Hattie Street, northbound, between Market and Corbett Streets.

RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH

Howard Street, from 3rd Street to 250 feet westerly.

BICYCLE LANES - ESTABLISH

Howard Street, north side, from 5th Street to Fremont Street.

TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND

Masonic Avenue, southbound, at Geary Boulevard.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

6/23/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040896 [Contracting Out Facility Security Services]

Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees.

(Municipal Transportation Agency)

040933 [Disapproving Street Encroachment at 601-605 Market Street]

Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001).

(Public Works Department)

(Companion measure to File 040934.)

6/30/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040934 [Approving Street Encroachment at 601-605 Market Street]

Resolution reversing the recommendation of the Director of Public Works and approving permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001) and making findings of consistency with the General Plan priority policies and Planning Code Section 101.1. (Public Works Department)

6/30/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040938 [Settlement of Administrative Civil Liability Complaint]

Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$110,000, plus payment of an \$8,000 penalty. (City Attorney)

7/2/2004, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible so that final approval can be obtained at the July 27, 2004 Board meeting.

040966 [Contracting out Airport Employee Parking Services]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040967 [Contracting out Airport Public Parking Services]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels. (Airport Commission)

7/2/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041018 [Petitions and Communications]

Petitions and Communications received from June 22, 2004 through July 2, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 13, 2004.

From concerned citizens, submitting opposition to proposed charter amendment, that will grant salaries to Board of Education members, lift the current limit of two aides per Supervisor, and reduce the number of votes needed to pass legislation when a Board of Supervisors member is prevented from voting due to a conflict of interest. File 040597, Approximately 120 letters (1)

From John Kelly, submitting requests for \$2 million dollars to provide separate decent and sanitary shelter facilities for homeless seniors and people with physical disabilities. Copy: Each Supervisor (2)

From Jeff Polk, urging the Board to create legislation to restrict the sale of high-powered sound systems in cars. (3)

From the Mental Health Board, submitting annual report for fiscal year 2003-04. (5)

From Sunshine Ordinance Task Force, urging the Board to provide subscription service to persons requesting meeting agendas. (6)

From Police Department, submitting list of existing and pending Sole Source Contracts entered into as of April 6, 2004. (7)

From BART, submitting resolution ordering the consolidation of a Special District Bond Election with the State of California General Election to be held on November 2, 2004. (8)

From Department of Public Works, submitting notice that appellants' signature with respect to 3372-3378 Mission Street represent owners of more than 20% of the area involved and are therefore sufficient for appeal. Files 040862, 040863, 040864, 040865 (9)

From Department of Elections, submitting update concerning implementation of Ranked-Choice Voting. Copy: Each Supervisor (10)

From Peter Warfield, regarding the Public Library's RFID related records. Copy: Budget Committee (11)

From Peter Warfield, submitting support to "zero out" funding for Radio Frequency Identification (RFID) for the San Francisco Public Library for fiscal year 2004-05. Copy: Budget Committee (12)

From Elections Commission, submitting resolution urging the Board of Supervisors to submit a Charter amendment to the voters that would move the elections for the offices of Public Defender and Assessor/Recorder from the March Statewide Primary Election to the following November General Municipal Election. Copy: Each Supervisor (13)

From Employees' Retirement System, submitting list of Sole Source Contracts for fiscal year 2002-03. (14)

From Department of Human Services, submitting quarterly update for the Human Services Care Fund. (15)

From Office of the Treasurer, submitting reports of the Cash Differences and Overages Fund for the period ending April 30, 2004 and May 31, 2004. 2 Reports (16)

From Small Business Commission, submitting support for legislation to fund the San Francisco International Arts Festival. File 040682, Copy: Each Supervisor (17)

From Clerk of the Board's Office, regarding the 2003-2004 Civil Grand Juries report on the merger of Emergency Medical Services and the San Francisco Fire Department. (18)

From Department of Administrative Services, submitting list of Sole Source contracts entered into in fiscal year 2002-03 for the City Administrator and the Department of Administrative Services. (19)

From Building Inspection Commission, regarding transfer of \$5,400,000 from the funds of the Department of Building Inspection to the Planning Department. (20)

From San Francisco Opera Center, urging the Board to preserve arts funding, particularly in light of the new merging of Grants for the Arts with the Arts Commission. (21)

From Central City Progressives, submitting opposition to proposed Muni bus service cuts. (22)

From Branch Library Improvement Program, submitting quarterly report for the first quarter of 2004. (23)

From Laguna Honda Hospital Chapter, SEIU 790, submitting opposition to proposed secretarial and clerical layoffs in the Department of Public Health. Copy: Budget Committee (24)

From Civil Service Commission, submitting amended notice of certification of salary and fringe benefits of elected officials for fiscal year 2004-405. (25)

From Office of the Controller, submitting technical adjustments pertaining to the Public Utilities Commission. Copy: Budget Committee, Harvey Rose (26)

From Department of Elections, submitting list of Sole Source contracts entered into in fiscal year 2002-03. Copy: Each Supervisor (27)

From S.F. Veteran Police Officers Assn., Inc., urging the District Attorney to put aside her personal feelings and seek the death penalty in the prosecution of the murderer of Police Officer Isaac Espinoza. (28)

From the Port, submitting list of Sole Source contracts entered into in fiscal year 2002-03 and Personal Service Contracts for fiscal year 2003-04. (29)

From Office of the Controller, submitting report concerning the concession audit of Gotham Food Two, LLC, doing business as Firewood Café. (30)

From Office of the Treasurer, submitting report concerning the Cash Differences and Overages Fund for the period ending June 30, 2004. (31)

From Ella Baker Center for Human Rights, submitting opposition to the Sheriff's Office contracting out health services for inmates in jails in the City and County of San Francisco. Copy: Budget Committee (32)

From San Francisco Grand Jury, submitting advance copies of reports on the Municipal Railway, San Francisco Unified School District and County Community Schools. (33)

From Clerk of the Board, submitting recommendations to the 2003-2004 San Francisco Grand Jury report regarding County Community Schools, (34)

From Clerk of the Board, submitting recommendations to the 2003-2004 San Francisco Grand Jury report entitled "On-Time Performance and Service Goals Remain a Fiction" regarding Muni's Mismanagement and Worker Problems. (35)

From Office of the City Attorney, submitting list of Sole Source Contracts that the City Attorney's Office has entered into during the past fiscal year. (36)

From Department of Children, Youth and Their Families, submitting list of Sole Source Contracts that the Department has entered into during the past fiscal year. (37)

From Office of the Legislative Analyst, submitting report on the economic impact of the proposed Transaction and Use Tax and Business Tax increases. File 040877 (38)

From concerned citizens, submitting opposition to proposed library use of REIDs (Radio Frequency) Book-Tagged Plan. Copy: Budget Committee (39)

From Clerk of the Board, submitting list of City departments and agencies that submitted Conflict of Interest Code Review Reports. (40)

From Residential Rent Stabilization and Arbitration Board, submitting notice that the Rent Board did not enter any Sole Source contracts during fiscal year 2002-2003. (41)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Juvenile Probation Department. (42)

From Abdalla Megahed, commenting on the drug dealing inside the homeless shelters in San Francisco. (43)

From Central City Progressives, urging the Board to reject Muni's budget. Copy: Each Supervisor (44)

From Golden Gate Park Concourse Authority, submitting list of Sole Source Contracts that the Golden Gate Park Concourse Authority has entered into during the past fiscal year. (45)

From Department of Building Inspection, submitting a three-year history on the penalties received and City Attorney fees expended. To clarify, our penalty revenue is collected in part by department employees and also in part by the litigation actions of the City Attorney. Copy: Supervisors Daly, Sandoval, McGoldrick and Budget Committee Clerk (46)

From Police Commission, submitting notice of public hearing regarding police response to the incident that occurred at Thurgood Marshall High School on October 11, 2002, the hearing will be held on Wednesday, July 14, 2004 at 5:30 p.m., in Room 400, City Hall. Copy: Each Supervisor (47)

From William Schmid, commenting on Café Flore serving beer and wine and allowing consumption of said beverages on a public sidewalk. (48)

From Department of Public Works, submitting copy of letter sent to constituent regarding issuance of a Minor Sidewalk Encroachment Permit at 275 Chattanooga Street. (50)

From Employees' Retirement System, regarding proposed Charter amendment on Health Service System Benefits at Retirement. File 040939 (51)

From Clerk of the Board, submitting notice that the Board of Supervisors/Clerk of the Board's Office did not enter into any sole source contracts during fiscal year 2003-04. (52)

From Clerk of the Board, submitting notice that the Board currently has a contract for Budget Analyst services with Stanton W. Jones and Associates through December 31, 2005, with a two additional two-year extension being given to the City for a total possible term extension of six years, through December 31, 2009, at an annual cost of \$2,090,339 as may be adjusted annually. (53)

From Real Estate Division, regarding the Department of the Environment proposed lease expansion. Copy: Budget Committee (54)

From Department of Child Support Services, regarding percent of households receiving DCSS services by supervisory district. (55)

From Department of Building Inspection, regarding fiscal year 2003-04 and 2004-05 transfer of Building Inspection Funds. Copy: Each Supervisor, Budget Committee (56)

From Police Department, commenting on proposed Charter amendment concerning the Anti-Homicide Plan; DNA Crime Lab Funding; Survivor Assistance and Violence Preventive Programs. Copy: Each Supervisor (57)

From concerned citizens, submitting opposition to Muni's proposed budget for fiscal year 2004-05. Copy: Each Supervisor (58)

From Dr. Robert Stern, submitting copy of letter sent to Supervisor Gonzalez commending him on his appointment of Peter Warfield to the Citizens Advisory Committee for the San Francisco Public Libraries. (59)

ADJOURNMENT



BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 20, 2004 2:00 PM
Regular Meeting

DOCUMENTS DEPT.

JUL 16 2004

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PUBLIC LIBRARY

MATT GONZALEZ, PRESIDENT

MICHEL A LIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293. Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Hall

1. 040913 [Study of at-risk and HIV positive youth in San Francisco]
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to enter retroactively into an agreement in the amount of \$19,800 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to participate in a study of at-risk and HIV positive youth in San Francisco, for the period of March 1, 2004, to February 28, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Ammiano

2. **040737** **[Creating Working Families Credit Program and Fund]**
Supervisors Ammiano, Daly, Dufty
Ordinance amending the San Francisco Administrative Code by adding Section 12S.1, to establish the Working Families Credit Program, and by adding Section 10.100-347, to create the Working Families Credit Program Fund.
(Mayor)
- 7/13/2004, AMENDED. Amended on page 2, line 10, after "Chapter 12S" by adding "beginning with the tax year 2004."
- Supervisor Dufty requested to be added as a co-sponsor.
7/13/2004, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
3. **040741** **[Eligibility of boards and commissions for health benefits]**
Ordinance amending the San Francisco Administrative Code by amending Section 16.700 to: (1) conform to prior amendments to the Charter and Administrative Code that made members of certain additional boards and commissions eligible for membership in the Health Service System, and (2) authorize the governing board of the Treasure Island Development Authority to enroll its employees in the Health Service System.
(Mayor)
(Fiscal impact.)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
- Present: Supervisors Daly, Peskin*
4. **040766** **[Ordinance prohibiting the grant of permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B]**
Ordinance amending Administrative Code Chapter 10B to add Section 10B.20 to prohibit granting permits and licenses to those more than 90 days in arrears in making the payments required by Chapter 10B.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Ammiano

5. 040876 [Department of Human Services Cash Revolving Fund]

Mayor

Ordinance amending San Francisco Administrative Code Section 10.157 to reduce amount of Department of Human Services Cash Revolving Fund.

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

6. 040639 [Appointment - Ballot Simplification Committee]

Resolution appointing Suzanne Strassevitch, term ending November 30, 2004, to the Ballot Simplification Committee.

Suzanne Strassevitch, succeeding Phyllis Smith, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2004.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

7. 041019 [Appointment - Ballot Simplification Committee]

Resolution appointing Alma Carroll, term ending November 30, 2004, to the Ballot Simplification Committee.

Alma Carroll, succeeding John Odell, resigned, Seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2004.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

8. 040970 [Adopting findings related to the conditional use appeal on property located at 3372-3378 Mission Street (aka 3350 Mission Street)]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Authorization No. 16782 (which approved the installation of a wireless telecommunications system facility consisting of six (6) pole mounted panel antennas on the roof of the Safeway grocery store structure, and related backup equipment, pursuant to Planning Code Sections 712.83 and 790.80, within an NC-3 (Moderate-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at 3372-3378 Mission Street (aka 3350 Mission Street) dba "Safeway"; West side between 29th and 30th Streets; (Lot 055 in Assessor's Block 6635). (Clerk of the Board)

(Companion measure to Files 040862, 040863, 040864, 040865.

7/9/2004, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

9. 040781 [Annual Budget, Fiscal Year 2004-05]
Supervisor Sandoval

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2004-2005.

Supervisor Daly dissented in Committee.

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Motion be APPROVED?

10. 040725 **[Government Funding for Fiscal Year 2004-2005]**
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
(Mayor)
(Fiscal impact.)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 040726 **[Public Employment, Fiscal Year 2004-2005]**
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Sandoval, McGoldrick

12. 040730 **[Establishing Arts Commission Civic Design Review Fees]**
Ordinance amending the San Francisco Administrative Code by adding a new section 3.19A establishing administrative fees for Arts Commission civic design review and making environmental findings.
(Mayor)
13. 040732 **[Chlorofluorocarbon Recovery and Recycling Fees]**
Ordinance amending Sections 1406 and 1412 of San Francisco Health Code Article 24 to change the term of a permit for Chlorofluorocarbon Recovery and Recycling operations from two years to one year; to increase fees for permitting and inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 040733 **[Hazardous Waste Management Fees]**
Ordinance amending Section 1204 of San Francisco Health Code Article 22 to increase fees for hazardous waste generators and inspections by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 040734 **[Medical Waste Generator Registration, Permitting, Inspections Fees]**
Ordinance amending Sections 1504 through 1509, 1513, and 1514 and adding 1515 to San Francisco Health Code Article 25 to increase registration and permit fees for persons who generate, store, haul and treat medical waste and for inspections by the Department of Public Health; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 040735 **[Risk Management Program Fees]**
Ordinance amending Section 1191 of San Francisco Health Code Article 21A to increase fees for Risk Management Plans and inspections of stationary sources by the Department of Public Health and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 040736 **[Reducing the number of false fire alarms before the City charges a response fee, and reducing the number of false fire alarms before the City increases the response fee]**
Ordinance amending Section 106.4 of the San Francisco Fire Code to reduce from five to two the number of false fire alarms allowed before the City assesses a response fee, and reducing from ten to five the number of false alarms before the response fee increases from \$250 to \$500.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
18. 040738 **[Amending the San Francisco Fire Code to Increase Fees for Service]**
Ordinance amending Section 106.8 and Table 106-B of the San Francisco Fire Code to adjust fees for Fire Department Services.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

19. 040739 **[Revising Annual Fire Department Permit Fees]**
Ordinance amending Sections 90, 93, 93.1, 94, 236, 237, 238, 239, 240, 241, 242, 242.1, 243, 244, 245, 246, 247 of the Business and Tax Regulations Code to increase certain annual licensing fees for permits from the Fire Department such that all annual licensing fees for permits from the Fire Department are set at \$240 per year, to become operative on January 1, 2005.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
20. 040743 **[Setting parking fees for City parking facilities]**
Ordinance amending the San Francisco Administrative Code, by adding Section 4.24 to set a parking fee for City facilities, and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
21. 040747 **[Hazardous Materials Fees]**
Ordinance amending Section 1176 of San Francisco Health Code Article 21 to increase fees for hazardous materials registration, storage, handling and inspections by the Department of Public Health; to add new fees for oversight of voluntary cleanups; and to provide for subsequent fee adjustments to ensure that such fees cover program costs; and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
22. 040748 **[Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and charges for other services provided by the Department of Public Health, effective July 1, 2004; and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**
23. 040757 **[Increasing the Emergency Response Fee imposed on telephone subscribers]**
Ordinance amending Article 10A of the Business and Tax Regulations Code by amending Sections 753 and 755 to increase the per-line Emergency Response Fee imposed on telephone subscribers, as well as the maximum total fee that may be imposed on a subscriber, and making environmental findings.
(Mayor)
- 7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be **FINALLY PASSED?**

24. 040759 [Eliminating the Dept. of Consumer Assurance, Regulatory Compliance and Agricultural Standards, and transferring the office of County Agricultural Commissioner and Sealer of Weights and Measures to the Dept. of Public Health]
- Ordinance amending the San Francisco Administrative Code by amending the title of Article XIII, repealing section 2A.220 and amending sections 1.13-9, 1.15.1, 2A.221, 21.33 and 91.2, and amending the San Francisco Police Code by amending sections 674, 4903, 4904, 4905, 4908 and 4910, to eliminate the Department of Consumer Assurance, Regulatory Compliance and Agricultural Standards, give the Director of the Department of Public Health power to appoint the County Agricultural Commissioner-Sealer of Weights and Measures, and make conforming changes to the Equal Access to Services ordinance and ordinances governing agreements with the State for pest detection, the establishment of fees for testing weighing and measuring devices, the inspection of commodities supplied to the City by contractors, the regulation of tobacco advertising, and the requirement that parking stations have Revenue Control Equipment.
- (Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

25. 040764 [Board of Appeals surcharge for certain permit renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission]
- Ordinance amending the San Francisco Administrative Code, by amending Section 10G.1, to apply the Board of Appeals surcharge to certain permits renewals issued by the Police Department, the Entertainment Commission, and the Taxi Commission under Police Code Sections 2.27 and 2.27.1, and making environmental findings.
- (Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Sandoval, Daly, McGoldrick

26. 040767 [Making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers]
- Ordinance making environmental findings and amending, effective July 1, 2004, Section 9A.7 of the San Francisco Administrative Code to increase Farmers' Market vendor fees for certified and non-certified producers.
- (Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Sandoval, McGoldrick

27. 040239 **[Extending provisional appointments]**
Resolution approving extension to January 31, 2005 of provisional appointments of employees in classifications 1237 Training Coordinator, 1410 Chief Clerk, 1842 Management Assistant, 2998 Representative, Commission on Status of Women, 3280 Assistant Recreation Director, 3284 Recreation Director, 4321 Cashier 2, 5278 Planner 2, 5283 Planner 5, 5293 Planner 4, 5608 Senior Energy Specialist, 9343 Roofer, and H-30 Captain (Fire Department) and 60 promotive provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, 0942 Manager VII, and 0943 Manager VIII.
(Human Resources Department)
- 7/13/2004, CONTINUED. Continued to July 20, 2004
Question: Shall this Resolution be ADOPTED?
28. 040491 **[Extending provisional appointments]**
Resolution approving extension to January 31, 2005 of 42 entrance provisional appointments in classifications 0922 Manager I, 0923 Manager II, 0931 Manager III, 0932 Manager IV, 0933 Manager V, 0941 Manager VI, and 0943 Manager VIII.
- 7/13/2004, CONTINUED. Continued to July 20, 2004
Question: Shall this Resolution be ADOPTED?
29. 040785 **[Fiscal Emergency Proposition J Contract - Mainframe Support]**
Mayor
Resolution concurring with the Mayor's determination of a fiscal emergency and with the Controller's certification that mainframe support can be practically performed by a private contractor at a lower cost than by City and County employees.
- 7/13/2004, CONTINUED. Continued to July 20, 2004
Question: Shall this Resolution be ADOPTED?

From the Budget Committee "Without Recommendation"

Present: Supervisors Sandoval, Daly, McGoldrick

30. 040729 [Waiver of storage fees for stolen vehicles owned by residents]
Ordinance repealing San Francisco Municipal Administrative Code Section 10C.8-1, providing for waiver of vehicle storage fees for vehicles reported stolen, which are owned by residents of the City and County of San Francisco.
(Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

31. 040746 [Economic and Workforce Development Department]
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVI, section 2A.240 to establish and describe the responsibilities of the Economic and Workforce Development Department.
(Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

32. 040540 [Prevailing wages in contracts for moving services; nonprofit organizations exclusion]
Supervisors Ammiano, Daly
Ordinance adding Section 21.25-x to the Administrative Code requiring prevailing wages in contracts for moving services, but exempting nonprofit organizations.

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin

33. 040745 [Modifying Residential Rent Ordinance annual fee per unit procedure, Controller-determined fee still billed to owners but Board of Supervisors no longer required to enact periodic statutory maximum fee per unit, owner may recover up to 50 % of fee.]
- Ordinance amending Administrative Code Chapter 37A "Residential Rent Stabilization and Arbitration Fee" by amending Sections 37A.2 and 37A.6: to provide that the annual Rent Board fee per unit billed to the owners will continue to be determined by the City Controller based on the total projected annual cost of funding the Rent Board divided by the number of rental units required to pay the fee, but that the Board of Supervisors would no longer be required to periodically enact a statutory maximum fee per unit; to eliminate the two-year sunset provision enacted in 2002 and provide that an owner may instead recover up to 50% of the annual fee for each unit from the occupants of the unit, instead of permitting recovery of \$21.50 per unit as provided during the last two years and instead of permitting recovery of 100% as provided in prior years; and, making environmental findings.
- (Mayor)

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Daly, Peskin, Ammiano

34. 040909 [Neighborhood Historical Resources Preservation Bonds]
Supervisors Peskin, McGoldrick, Sandoval, Hall
- Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars (\$60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.
- (Fiscal impact.)

7/13/2004, PASSED ON FIRST READING. Supervisors McGoldrick, Sandoval and Hall requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

35. 040944 [Payment of Reward]
Mayor

Ordinance authorizing payment of reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrator who murdered Shayne Worcester on May 26, 1999.

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

36. 040642 [Charter Amendment - Authorizing health plans for City residents]
Supervisor Daly

Charter amendment (First Draft) by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

(Fiscal impact.)

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Charter Amendment be SUBMITTED?

37. 040645 [Charter Amendment - Non-Citizen Voting in School Board Elections]
Supervisors Gonzalez, Ammiano, Daly, Maxwell, McGoldrick

Charter amendment (Second Draft) adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Maxwell, Gonzalez

38. 040646 [Charter Amendment - Increasing the retirement benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty]
Supervisor Hall

Charter amendment (First Draft) by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

(Fiscal impact.)

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee "Without" Recommendation

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

39. 040643 [Charter Amendment - Health Service System]
Supervisor Daly

Charter amendment (Third Draft) by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Charter Amendment be SUBMITTED?

40. 040647 [Charter Amendment - MTA budget; Director's contract and salary cap; Board veto of service reductions; voter-approved ordinances; biennial quality review]
Supervisors Sandoval, Daly

Charter amendment (Second Draft) by amending Sections 8A.102, 8A.106, and 8A.107, to provide that: the Board of Supervisors shall set the annual salary of the Director of Transportation of the Municipal Transportation Agency, which shall not exceed \$250,000; the Board of Supervisors must approve the contract between the Municipal Transportation Agency and the Director of Transportation; the Board may reduce or reject any expenditure contained in the Agency's base budget, and may reject any proposed fare; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

7/13/2004, CONTINUED. Continued to July 20, 2004

Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

41. 040981 [Charter Amendment - Board deadlines during recess; votes needed when Board members are disqualified; hold-over appointments; Department of Aging and Adult Services; Commission on the Environment; legislative aides]
Supervisor Gonzalez
Charter Amendment (First Draft) by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

42. 040721 [Payment of Attorneys Fees]
Ordinance authorizing payment of attorneys fees and costs incurred by the Elections Commission in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.
(City Attorney)

6/8/2004, CONTINUED. Continued to June 22, 2004
6/22/2004, CONTINUED. Continued to July 13, 2004
7/13/2004, DIVIDED. Supervisor Sandoval, seconded by Supervisor Ammiano, moved to divide the question regarding the attorney's fee for Department of Elections and the attorney's for the Civil Service Commission.
See File No. 041028 for the question regarding payment for attorney fees for the Civil Service Commission.
7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
43. 041028 [Payment of Attorneys Fees]
Ordinance authorizing payment of attorneys fees and costs incurred by the Civil Service Commission by the City in lawsuits and administrative proceedings arising from Tammy Haygood's employment and removal as Director of the San Francisco Department of Elections.

7/13/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Rules Committee with Recommendation "Do Not Pass"

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

44. 040573 [Settlement of Lawsuits]

Ordinance authorizing settlement of federal and state lawsuits and administrative proceedings between the City and County of San Francisco and Tammy Haygood filed in connection with her employment and removal as Director of the Department of Elections including a lawsuit filed on July 17, 2002 in Superior Court, State of California, Case No. CPF 02-501387, entitled City and County of San Francisco, Petitioner v. Civil Service Commission of the City and County of San Francisco, Respondent, Tammy B. Haygood, Real Party in Interest, and a lawsuit filed on July 17, 2002 in United States District Court, Case No. C02-3433 WHA, entitled Tammy B. Haygood v. Michael Mendelson, et al. The material terms of the settlement are Haygood will dismiss with prejudice all claims against San Francisco in these lawsuits and all complaints filed with the California Department of Fair Employment and Housing, the Department of Labor and any other administrative action, and Haygood will reimburse the City for payments of certain wages and benefits if she returns to City employment on or before January 17, 2007.

(City Attorney)

Supervisor Maxwell dissented in Committee.

6/8/2004, CONTINUED. Continued to June 22, 2004

6/22/2004, CONTINUED. Continued to July 13, 2004

7/13/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

CALLED FROM COMMITTEE**45. 040592 [Payroll Expense Tax Exclusion for Biotechnology Business]**

Supervisors Alioto-Pier, Ma

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

6/29/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure from the Finance and Audits Committee for Board consideration July 13, 2004.

7/6/04: Notice of Matter Called out of Committee mailed and faxed.

7/13/2004, CONTINUED. Continued to July 20, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Hall

46. 040421 **[Supporting AB 2146]
Supervisor Peskin**
Resolution urging the California State Legislature to support AB 2146, legislation establishing a pilot program to limit the number of Dungeness crab traps allowed on each commercial fishing vessel and give authority to the Fish and Game Commission to regulate the Dungeness crab industry.

4/13/2004, REFERRED to City Services Committee. Supervisor Hall requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

47. 040699 **[Design-Build Agreement for a Solar Power Plant at Southeast Water Pollution Control Plant]**
Resolution authorizing the San Francisco Public Utilities Commission's General Manager to sign a Design-Build Agreement (DBA) for \$1.8 million between the San Francisco Public Utilities Commission and Sierra Electric, for the turnkey design and construction of a solar power plant at the San Francisco Public Utilities Commission's Southeast Water Pollution Control Plant (SEWPCP). (Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee "Without Recommendation"

Present: Supervisors Daly, Peskin, Ammiano

48. 040744 **[Interdepartmental jurisdictional transfer of surplus property]
Supervisors Peskin, McGoldrick**
Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund.
(Mayor)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin

49. 040141 [Transit Impact Development Fee]
Supervisor McGoldrick

Ordinance repealing San Francisco Administrative Code Chapter 38 (Transit Impact Development Fee) and replacing it with a new Chapter 38 (Sections 38.1, through 38.14), to enact a new Transit Impact Development Fee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. 040144 [Basic Floor Area Ratio Limit for C-M Zoning Districts]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Section 124(a) to provide that the basic floor area ratio limit for C-M Zoning Districts is 3.0 to 1; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 040661 [Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]

Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning code Section 101.1 and the General Plan.

(Planning Department)

(Companion measure to File No. 040633.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

52. 040633 [General Plan Amendment in connection with 55 Ninth Street]

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendments is consistent with the eight Priority Policies of Planning Code Section 101.1.

(Planning Department)

(Companion measure to File No. 040661.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

53. 040752 **[Dissolving the Telecommunications Commission]**
Ordinance amending the San Francisco Administrative Code by amending Sections 11.84, 11.85, and 11.86, and repealing Sections 11.87, 11.88, and 11.89, to dissolve the Telecommunications Commission.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
54. 040754 **[Office of the City Administrator]**
Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department.
(Mayor)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
55. 040755 **[Department of Convention Facilities]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
56. 040760 **[Department of the Medical Examiner]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Rules Committee "Without Recommendation"

Present: Supervisors Maxwell, Alioto-Pier, Peskin

57. 040951 **[Appointment, Board of Appeals]**

Motion approving the Board of Supervisors President's appointment of Randall Knox to the Board of Appeals for the term ending July 1, 2006.
(Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.)

Transmittal date - June 29, 2004

Question: Shall this Motion be APPROVED?

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

58. 040954 [Supportive and Affordable Rental Housing and Homeownership Bonds Special Election]
Supervisors Ammiano, Peskin, Daly, Gonzalez, Maxwell, Dufty, McGoldrick, Alioto-Pier, Sandoval

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars (\$200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION
(Fiscal impact.)

7/13/2004, AMENDED. Supervisor Sandoval requested to be added as a co-sponsor.

7/13/2004, PASSED ON FIRST READING AS AMENDED. July 20, 2004 with the Board Sitting as a Committee of Whole

Question: Shall this Ordinance be FINALLY PASSED?

From the Finance and Audits Committee "Without" Recommendation

Present: Supervisors Daly, Peskin, Ammiano

59. 040751 [Transactions and Use Tax]

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor. (Mayor)

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

7/13/2004, AMENDED.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Question: Shall this Ordinance be PASSED ON FIRST READING?

60. 040979 [Business Tax]

Supervisor Ammiano

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax, until replaced through a subsequent voter-approved alternate business tax structure following a comprehensive analysis and report by the Controller based on two complete years of actual collections, on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, to a lower rate thereafter, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"); and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

7/13/2004, AMENDED.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Question: Shall this Ordinance be PASSED ON FIRST READING?

61. 040758 [Business Tax]**Mayor**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

7/13/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Question: Shall this Ordinance be PASSED ON FIRST READING?

62. 040978 [Business Tax]**Supervisor Daly**

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of fifteen one-hundredths of one percent (0.15%); (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

Supervisor Daly dissented in Committee.

COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

7/13/2004, AMENDED.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use Committee at a Rescheduled Meeting on Tuesday, July 20, 2004 at 1:30 p.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, July 20, 2004 as a committee report.

63. 040987 [Including biotechnology business to the First Source Hiring Program]

Supervisor Maxwell

Ordinance amending Administrative Code section 83.4 to define and include biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

64. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

65. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 66 through 75

66. 040994 **[Small Business Act]**
 Supervisor Hall
Resolution urging the United States Senate to continue funding the 7(a) loan program of the Small Business Act in order to insure the development of small businesses throughout the United States.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
67. 041011 **[Supporting AB 3042]**
 Supervisor Ammiano
Resolution supporting AB 3042 which protects the child victims of commercial sexual exploitation.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
68. 041012 **[Commending Daniel A. Sullivan]**
 Supervisors Duffy, Ma, Maxwell, Alioto-Pier
Resolution commending Daniel A. Sullivan for his years of contribution to the City and County of San Francisco.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
69. 041013 **[Commending Stanlee R. Gatti]**
 Supervisor Duffy
Resolution acknowledging and commending Stanlee R. Gatti for his service as the President of the San Francisco Arts Commission from January 1996 to July 2004 during which time he improved San Francisco's urban cultural environment.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

70. 041014 **[Ben Davis Inc.]**
Supervisors Daly, Maxwell, Gonzalez, McGoldrick
Resolution urging Ben Davis Inc. to act in good faith to reach a mutually satisfactory settlement on its wages and benefits package for its workers at the Ben Davis factory in San Francisco.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
71. 041015 **[Urging Support for Preservation and Restoration of Belli Buildings]**
Supervisor Peskin
Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
72. 041016 **[Manilatown]**
Supervisors Peskin, Sandoval, Ammiano
Resolution supporting the establishment of Manilatown as a Filipino historical and cultural center in Chinatown.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
73. 041017 **[Community Action Plan for Seismic Safety (CAPSS) Report]**
Supervisors Ma, Alioto-Pier, Dufty
Resolution urging the Department of Building Inspection to complete and finalize work on their Community Action Plan for Seismic Safety (CAPSS) Report – a study that will include cost-effective mitigation strategies and economic incentives to help avoid future disasters.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
74. 041029 **[Authorizing the San Francisco Sheriff to enter into a contract with California Department of Corrections]**
Supervisor Sandoval
Resolution authorizing the San Francisco Sheriff or his designee to enter into contract with the California Department of Corrections (CDC) for the provision of a Substance Abuse Treatment and Control Unit (SATCU) in the City and County of San Francisco when Parole and Community Services Division personnel conclude that there are reasonable grounds for believing that a parolee is addicted to, or habituated to, or is in imminent danger of addiction to controlled substances or alcohol.
- 7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

75. 041010 [Needle Exchange Emergency]**Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

76. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 3, 2004 through July 12, 2004, for reference by President to appropriate committee on July 20, 2004.

040974 [Zoning Map Amendment in connection with Habitat For Humanities Project]

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

040975 [Settlement of Lawsuit - Jean B. Applebaum]

Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for \$240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al.
(City Attorney)

7/12/2004, RECEIVED AND ASSIGNED to Rules Committee.

040976 [Designating 1201 Ortega Street, the Infant Shelter, as a Landmark]

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

7/9/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040980 [Deadlines for correction and review of ballot arguments]

Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.
(Elections Department)

7/9/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 3, 2004 through July 12, 2004, for reference by President to appropriate committee on July 20, 2004.

040972 [Official Advertising - Type 1 consecutive day official advertising]

Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

7/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

040973 [Official Advertising - Type 2 non-consecutive day official advertising]

Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

7/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041021 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Public Health Department)

7/12/2004, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 17, 2004, at 3:00 p.m.

041023 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]

Resolution Confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon.
(Public Health Department)

7/12/2004, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 17, 2004, at 3:00 p.m.

041026 [Extension of Agreement with PRWT Services, Inc]

Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco.
(Parking and Traffic Department)

7/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be scheduled for consideration at the August 11, 2004 meeting.

041030 [PETITIONS AND COMMUNICATIONS]

Petitions and Communications received from July 3, 2004 through July 12, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 20, 2004.

From concerned citizens, submitting opposition to proposed charter amendment, that will grant salaries to Board of Education members, lift the current limit of two aides per Supervisor, and reduce the number of votes needed to pass legislation when a Board of Supervisors member is prevented from voting due to a conflict of interest. File 040597, Approximately 200 letters (1)

From Public Utilities Commission, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (2)

From Noe/Bernal Neighborhood Alliance, submitting supplemental information in support of appellant's opposition to granting of a conditional use permit, to install a wireless telecommunications system facility on the roof of the Safeway grocery store structure at 3372-3378 Mission Street. File 040862 (3)

From Anthony and Cheri Head, submitting copy of letter sent to Department of Public Works regarding a minor sidewalk encroachment permit at 275 Chattanooga Street (4)

From Planning Department, regarding the draft Preservation Element for the City's General Plan. (5)

From Department of Telecommunications and Information Services, submitting report on RCN's application to the Board for an Open Video System (OVS) Franchise. File 021825, Copy: Each Supervisor (6)

From Department of Elections, submitting a summary of allocation of funds to perform Ranked-Choice Voting Public Education and Outreach services by the Department of Elections. Copy: Finance and Audits Committee (7)

From Department of Elections, submitting summary of outreach efforts to the Senior Community regarding Ranked-Choice Voting Public Education and Outreach plan. Copy: Budget Committee (8)

From District Attorney's Office, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (9)

From Office of the Treasurer & Tax Collector, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (10)

From Municipal Transportation Agency, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (11)

From Department of Elections, regarding Ranked-Choice Voting Public Education and Outreach Opportunities in Supervisorial Districts 2, 7 and 8. Copy: Supervisors Alioto-Pier, Hall and Dufty (12)

From various signators, submitting Form 700 Statement of Economic Interest: Cassandra Costello (13)

From Police Department, regarding the 3-day joint enforcement operation between the San Francisco Police Department and California Highway Patrol (CHP) in the Bayview, Ingleside and Mission District Police Stations. (14)

From Budget Analyst, submitting Activity Status Report for the Quarter ending June 30, 2004. (15)

From North Beach Neighbors, recommending Sue Cauthen for a seat on the Library Citizens Advisory Committee. Copy: Rules Committee (16)

From Department of Parking and Traffic, concerning the feasibility of upgrading the size of speed limit signs along Guerrero Street and San Jose Avenue. (Reference No. 20040615-001) Copy: Supervisor Sandoval (17)

From Real Estate Division, submitting list of surplus and adjacent city property reports, maps and zoning information per Ordinance Numbers 227-02, 93-04 and 96-04. File 040538 (18)

From Clerk of the Board, submitting report-showing gift received and amount of said gift. (19)

From Medical Examiner Office, submitting request for waiver of Administrative Code Chapters 12A and 12B for Merry X-Ray Chemical, Vendor #12360 for x-ray film and supplies. (20)

From San Francisco Association of Realtors, submitting opposition to proposed Charter amendment that would alter the composition and character of the Rent Board. File 040648, Copy: Each Supervisor (21)

From Department of Public Works, submitting copy of letter sent to property owners/residents within 150-foot radius of 2833 26th Street regarding an approved Minor Sidewalk Encroachment Permit at 2833 26th Street. (22)

From Department of Parking and Traffic, regarding request to restore parallel parking to the 1200 block of Fitzgerald Street. (Reference No. 20040622-001) Copy: Supervisor Maxwell (23)

From Department of Parking and Traffic, responding to request to change the configuration of Guerrero Street and San Jose Avenue, between 26th and Randall Streets. (Reference No. 20040608-004) Copy: Supervisors Ammiano, Dufty (24)

From Clerk of the Board, submitting list of City departments and agencies that submitted the Conflict of Interest Code Review Report. (25)

From Department of Public Works, submitting copy of letter sent to applicant of an approved Minor Sidewalk Encroachment Permit for 1901 Hyde Street. (26)

From State Department of Fish and Game Commission, submitting notice of proposed regulatory actions and text of regulations in strikeout/underline language, relative to "Herring Regulations," in the sections identified in title 14, California Code of Regulations. (27)

From Department of Children, Youth and Their Families, regarding steps being taken to mitigate Ella Hill Hutch's loss of one of its two Department of Children, Youth and Their Families grants for youth employment and training. (Reference No. 20040608-005) Copy: Supervisors Gonzalez, Maxwell and Dufty (28)

From Department on the Status of Women, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (29)

From Juvenile Probation Department, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (30)

From Muni, submitting list of Sole Source Contracts entered into in fiscal year 2002/03. (31)

From Department of Public Health, submitting the AIDS cases reported through June 2004. (32)

From William Schmid, regarding his filing of an ABC liquor violation against Café Flore. (33)

From James Miller, commending Supervisor Ammiano for being one of the major city officials that rides MUNI. Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to proposed MUNI budget for fiscal year 2004-05. (35)

From Janette Barroca, commenting on proposed Charter amendment that would add a third legislative aide to the Board of Supervisors. Copy: Each Supervisor (36)

From concerned citizens, submitting support for proposed Charter amendment to make the Rent Board representative of the city population. File 040648, Copy: Each Supervisor (37)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



AGENDA

DOCUMENTS DEPT.

JUL 23 2004

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, July 27, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday

10:00 AM

2nd Monday (Bi-Monthly)

4:00 PM

Thursday

9:30 AM

Wednesday

1:00 PM

Monday

1:00 PM

Wednesday

10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsuprvr.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. 040896 **[Contracting Out Facility Security Services]**
Resolution concurring with the Controller's certification that facility security services for Municipal Transportation Agency can be practically performed by a private contractor at a lower cost than by City and County employees.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?
2. 040941 **[Contracting Out Airport Information Booth Services]**
Mayor
Resolution approving the Controller's certification that Airport Information Booth Services at San Francisco International Airport can be practically performed by private contractor at a lower cost than in the work were performed by City and County employees.

Question: Shall this Resolution be ADOPTED?

3. 040942 [Contracting Out Shuttle Bus Service]**Mayor**

Resolution approving the Controller's certification that shuttle bus service for San Francisco International Airport's Long-Term Parking Lot, the employee garage and surface Lot DD can practically be performed by private contractor at a lower cost than if work were performed by City and County employees.

Question: Shall this Resolution be ADOPTED?

4. 040966 [Contracting out Airport Employee Parking Services]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

5. 040967 [Contracting out Airport Public Parking Services]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin

6. 040987 [Including biotechnology business to the First Source Hiring Program]**Supervisors Maxwell, Dufty, Gonzalez**

Ordinance amending Administrative Code section 83.4 to define and include biotechnology business as a "commercial activity" and a "development project" for purposes of the First Source Hiring Program.

7/20/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

7. 040725 **[Government Funding for Fiscal Year 2004-2005]**
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
(Mayor)
(Fiscal impact.)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)
- 7/13/2004. CONTINUED. Continued to July 20, 2004
7/20/2004. PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be **FINALLY PASSED?**
8. 040726 **[Public Employment, Fiscal Year 2004-2005]**
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)
- 7/13/2004. CONTINUED. Continued to July 20, 2004
7/20/2004. PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be **FINALLY PASSED?**

From the Finance and Audits Committee "Without" Recommendation

Present: Supervisors Daly, Peskin, Ammiano

9. 040744 **[Interdepartmental jurisdictional transfer of surplus property]
Supervisors Peskin, McGoldrick**

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund.
(Mayor)

7/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 040751 **[Transactions and Use Tax]**

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor.
(Mayor)

7/13/2004, AMENDED.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

7/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

Present: Supervisors Sandoval, Daly, McGoldrick

7. 040725 [Government Funding for Fiscal Year 2004-2005]
Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2005.
(Mayor)
(Fiscal impact.)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

7/13/2004, CONTINUED. Continued to July 20, 2004

7/20/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

8. 040726 [Public Employment, Fiscal Year 2004-2005]
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2005, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Mayor)
Supervisor Daly dissented in Committee.
(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2004 nor later than August 1, 2004.)

7/13/2004, CONTINUED. Continued to July 20, 2004

7/20/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

From the Finance and Audits Committee "Without" Recommendation

Present: Supervisors Daly, Peskin, Ammiano

9. 040744 [Interdepartmental jurisdictional transfer of surplus property]

Supervisors Peskin, McGoldrick

Ordinance transferring jurisdiction from the Public Utilities Commission to the Real Estate Division of the Administrative Services Department over certain portions of former municipal railway right-of-way property located in San Mateo County for the purpose of disposing of such property at fair market value and transferring the net proceeds to the City's General Fund.
(Mayor)

7/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 040751 [Transactions and Use Tax]

Ordinance amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor.
(Mayor)

7/13/2004, AMENDED.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

7/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 040758 [Business Tax]
Mayor

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.
Supervisor Daly dissented in Committee.

7/13/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/13/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to July 20, 2004 with the Board Sitting as a Committee of the Whole

7/20/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 040592 [Payroll Expense Tax Exclusion for Biotechnology Business]
Supervisors Alioto-Pier, Ma, Hall

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.

6/29/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure from the Finance and Audits Committee for Board consideration July 13, 2004.

7/6/04: Notice of Matter Called out of Committee mailed and faxed.

7/13/2004, CONTINUED. Continued to July 20, 2004

7/20/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/20/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin

13. 040141 **[Transit Impact Development Fee]**
Supervisors McGoldrick, Gonzalez
Ordinance repealing San Francisco Administrative Code Chapter 38 (Transit Impact Development Fee) and replacing it with a new Chapter 38 (Sections 38.1, through 38.14), to enact a new Transit Impact Development Fee.
- 7/20/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
14. 040144 **[Basic Floor Area Ratio Limit for C-M Zoning Districts]**
Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Planning Code by amending Section 124(a) to provide that the basic floor area ratio limit for C-M Zoning Districts is 3.0 to 1 except for landmark buildings in C-M Zoning Districts; adopting findings.
- 7/20/2004, AMENDED. Supervisor Gonzalez requested to be added as a co-sponsor.
7/20/2004, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
15. 040661 **[Zoning Map amendment reclassifying the height and bulk limits of Assessor's Block 3701, Lot 063]**
Ordinance amending Zoning Map Sheet 7H of the City and County of San Francisco to reclassify the height and bulk limits of the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, from 120-X to 200-S, adopting findings pursuant to the California Environmental Quality Act, and making findings of consistency with the priority policies of Planning code Section 101.1 and the General Plan.
(Planning Department)
(Companion measure to File No. 040633.)
- 7/20/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 040633 **[General Plan Amendment in connection with 55 Ninth Street]**
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed State Compensation Workers Fund office building at 55 Ninth Street; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendments is consistent with the eight Priority Policies of Planning Code Section 101.1.
(Planning Department)
(Companion measure to File No. 040661.)
- 7/20/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

17. 040752 **[Dissolving the Telecommunications Commission]**
Mayor, Supervisors Dufty, Ma
Ordinance amending the San Francisco Administrative Code by amending Sections 11.86, 11.87, 11.88, and 11.89, to re-define the duties, responsibilities and authority of the Telecommunications Commission.
(Mayor)
- 7/20/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
7/20/2004, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
18. 040754 **[Office of the City Administrator]**
Ordinance amending the San Francisco Administrative Code by adding Section 2A.25 and amending Section 2A.30 to establish the Office of the City Administrator as a City department.
(Mayor)
- 7/20/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
19. 040755 **[Department of Convention Facilities]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVIII, section 2A.260 to establish and describe the responsibilities of the Department of Convention Facilities.
- 7/20/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
20. 040760 **[Department of the Medical Examiner]**
Mayor
Ordinance amending the San Francisco Administrative Code, Chapter 2A to add Article XVII, section 2A.250 to establish and describe the responsibilities of the Department of the Medical Examiner.
- 7/20/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Hall

21. 040889 [Requesting Real Estate Department to appraise the property at 220 Jones Street]
Supervisor Gonzalez
Resolution requesting the Real Estate Department to appraise the parcel at 220 Jones Street and return a fair market value to the Board of Supervisors.

6/22/2004, REFERRED to Finance and Audits Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

22. 040972 [Official Advertising - Type 1 consecutive day official advertising]
Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 1 consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)
- Question: Shall this Resolution be ADOPTED?
23. 040973 [Official Advertising - Type 2 non-consecutive day official advertising]
Resolution designating the San Francisco Independent to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

24. 041033 [Youth Commission Annual Report]
Report from the San Francisco Youth Commission.
(Clerk of the Board)

Action: _____

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**COMMITTEE REPORTS**

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Rules Committee at a Rescheduled Meeting on Wednesday, July 21, 2004 at 1:30 p.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, July 27, 2004 as a committee report.

25. 040883 [Directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission]
Motion directing the Clerk of the Board of Supervisors to submit the Incompatible Activities Statement to the Ethics Commission.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

The following items will be considered by the Rules Committee at a Special Meeting on ^{Tuesday} Wednesday, July 27, 2004 at 11:00 a.m. The Chair may entertain a motion to send the following items to the Board on Tuesday, July 27, 2004 as committee reports.

26. 040667 [Declaration of Policy Concerning San Francisco Transactions and Use Tax Expenditures] Supervisor Ammiano
Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.

Question: Shall this Motion be APPROVED?

27. 040688 [Open Government Ordinance to provide for more public accessibility to meetings and documents, more public participation and to safeguard the maintenance of records.]
Supervisor Daly
Motion ordering submitted to the voters an ordinance authorizing the OPEN GOVERNMENT ORDINANCE at an election to be held on November 2, 2004.
(Fiscal impact.)

Question: Shall this Motion be APPROVED?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 to 39

30. 040560 [Adopting the 2004 Telecommunications Plan Update]
Supervisor Ma
Resolution adopting the 2004 Update to the Telecommunications Plan, as submitted.

7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 040977 [Commending San Francisco Gem and Mineral Society]
Supervisor Ma
Resolution recognizing the San Francisco Gem and Mineral Society for its efforts and achievements and declaring August 2 – 8, 2004 to be “Gem and Mineral Week” in the City and County of San Francisco.

7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 040993 [Helen Wills Park Gift Acceptance]
Supervisor Peskin
Resolution accepting and expending a gift in the amount of \$17,000.00 from the Syzygy Foundation for Helen Wills Park.

7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 041031 [Stenciled Graffiti Defacing San Francisco Sidewalks]
Supervisors Dufty, Alioto-Pier, Ma, Maxwell
Resolution urging the Department of Public Works and the City Attorney to jointly cite and collect damages from NBC Universal, parent company of USA Network, or its representatives for stenciling graffiti on San Francisco sidewalks; and urging the Department of Public Works to track all costs associated with the cleanup of the sidewalk graffiti.

7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

34. 041032 **[Issuance and sale of multifamily housing revenue bonds by CSCDA for National Farm Workers Service Center, Inc.]**
Supervisor Dufty
Resolution authorizing the issuance and sale of multifamily housing revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$26,000,000 for the Project (as defined herein).
- 7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
35. 041034 **[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election]**
Supervisor Gonzalez
Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 2, 2004 Election.
- 7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
36. 041045 **[Commending H. Welton Flynn]**
Supervisor Sandoval
Resolution acknowledging and commending H. Welton Flynn for his service as the Chairman of the Board of Directors for the San Francisco Municipal Transportation Agency.
- 7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
37. 041046 **[Proclaiming October 20, 2004 as A-day in San Francisco]**
Supervisor Sandoval
Resolution proclaiming October 20, 2004 as A-day in San Francisco.
- 7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
38. 041047 **[Commending Bayanihan Cultural Organization]**
Supervisor Sandoval
Resolution commending Bayanihan Cultural Organization for reaching a milestone of ten years of service educating youth in traditional Filipino culture.
- 7/20/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

39. 041044 [Commending The ARC of San Francisco and its "100 jobs in 100 days campaign]
Supervisor Maxwell

Resolution commending The ARC of San Francisco and its "100 Jobs in 100 Days Campaign" for their efforts on behalf of citizens with developmental and other disabilities.

7/20/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 13, 2004 through July 19, 2004, for reference by President to appropriate committee on July 27, 2004.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 13, 2004 through July 19, 2004, for reference by President to appropriate committee on July 27, 2004.

040171 [Supplemental grant award for comprehensive drug court implementation services]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$53,742 from the California Department of Alcohol and Drug Programs (CADP) to supplement comprehensive drug court implementation funding and to enter into an agreement for the use of these funds; for the period of December 29, 2003, to December 28, 2004.

(Public Health Department)

7/15/2004, RECEIVED AND ASSIGNED to City Services Committee.

040435 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board of Directors to accept and expend \$3,929,039 of Federal Earmarked Capital Assistance for design and construction of Muni's Islais Creek facility.
(Municipal Transportation Agency)

7/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040436 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$8,857,610 of Federal New Starts Capital Assistance for the Third Street-Phase II, New Central Subway project excluding administrative overhead costs.
(Municipal Transportation Agency)

7/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

040483 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,753,574 of Assembly Bill 664 funds for Municipal Railway Transit projects, excluding administrative overhead costs.
(Municipal Transportation Agency)

7/16/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041025 [Special Assessment Liens for Assessment Costs]

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Building Inspection Department)

041048 [Petitions and Communications]

Petitions and Communications received from July 13, 2004 through July 19, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 27, 2004.

From Budget Analyst, submitting recommendations of the Budget Committee for amendment of Budget items for fiscal year 2004-05. Copy: Supervisor Sandoval (1)

From Clerk of the Board, submitting list of City departments and agencies that submitted the Conflict of Interest Code Review Reports. (2)

From concerned citizens, submitting opposition to proposed funding of the San Francisco Library's acquisition of a Radio Frequency Identification system. (3)

From Department of Public Works, submitting copy to letter sent to applicant denying a Minor Sidewalk Encroachment permit to add planters along the building encroaching 3'-0" into the public right-of-way at 255 Berry Street. (4)

From Office of the Controller, submitting summary of additions and deletions to the proposed Annual Appropriation Ordinance for fiscal year ending June 30, 2005 that is under consideration by the Board of Supervisors at its meeting of July 20, 2004. File 040725, Copy: Each Supervisor (5)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Department of Building Inspection. (6)

From concerned citizens, submitting opposition to proposed Charter amendment, that will grant salaries to Board of Education members, lift the current limit of two aides per Supervisor, and reduce the number of votes needed to pass legislation when a Board of Supervisors member is prevented from voting due to a conflict of interest. File 040981, approximately 250 letters (7)

From Office of the Treasurer and Tax Collector, submitting request for waiver of Administrative Code Chapters 12B and 12C for Trans Union credit bureau report subscription service. (8)

From Office of the City Attorney, submitting monthly report for hours of service provided to the Board of Supervisors on confidential matters for the month of May 2004. (9)

From Office of the City Attorney, submitting monthly report for hours of service provided to the Board of Supervisors for the month of May 2004. (10)

From S.F. Museum and Historical Society, urging support for proposed Bond measure regarding "Neighborhood Historic Resources Preservation Bonds" on the November 2, 2004 election. File 040909, Copy: Each Supervisor (11)

From concerned citizens, urging the Board to restore funding for the position of Health Center Director, Nurse Administrator and Program Analyst to the Tom Waddell Clinic. (12)

From Municipal Railway, submitting short-range transit plan for fiscal year 2004-2023. (13)

From City Attorney, regarding appeal of Negative Declaration for Hunters Point Shipyard Phase 1 Development. (14)

From Department on the Status of Women, submitting list of Sole Source contracts entered into during fiscal year 2003-04. (15)

From Department of Human Services, submitting request for waiver of Administrative Code Chapters

12B and 12C for Safeway. (16)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under management. (17)

From William Schmid, submitting copy of letter sent to the Planing Commission regarding Café Flore, located at 2298 Market Street. (18)

From Office of the Controller, submitting report concerning the financial review of the Mission Cultural Center for Latino Arts. (19)

From Office of the District Attorney, submitting information regarding the Equal Access Ordinance Annual Compliance Plan. (20)

From S.F. Association of Realtors, submitting letter entitled "Housing Bond turns its back on Middle Class" dated July 12, 2004. (21)

From Law Office of David Cincotta, submitting correspondence concerning the State Compensation Insurance Fund Project at 55 Ninth Street. Files 040661, 040663, Copy: Each Supervisor (22)

From Office of the Controller, submitting report concerning the Statement of Cash and investments of the Office of the Treasurer and Tax Collector for the quarter ended March 31, 2004. (23)

From the Ethics Commission, submitting second quarter 2004 summary of earnings and activity of campaign consultants registered with the City for March 1, 2004 through May 31, 2004. (24)

From Building Inspection Commission, regarding determination of Director Chiu regarding permits' suspension for 80 Natoma Street. (25)

From Building Inspection Commission, submitting copy of letter sent to Alice Barkley regarding appeal to stop work order letter for 80 Natoma Street, dated June 17, 2004. (26)

From University of California, Davis, submitting report from the Violence Prevention Research Program on the life cycle of crime guns: a description based on guns recovered from young people in California. (27)

From Immigrant Rights Commission, submitting resolution concerning Newcomer High School and a resolution supporting non-citizen voting in School Board Elections. File 040645 (28)

From Coalition for San Francisco Neighborhoods, submitting opposition to proposed Countywide Transportation Plan. (29)

From concerned citizens, urging the Board to fully restore the Executive Director position for the Department of Aging and Adult Services. (30)

From Department of Public Health, submitting the Hazardous Materials incident report dated July 13, 2004. (31)

From Jennifer Greenberg, urging the Board to provide funding to install additional photo-enforcement equipment at all 19th Avenue intersections between Sloat Boulevard and Lincoln Way. Copy: Supervisor Hall (32)

From the Chamber of Commerce, submitting monthly report for the week of July 19, 2004. (33)

From Kristin Kogure, urging the Board to not cut the Senior Analyst and Personnel Officer's positions from the Department of Building Inspection. Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to non-citizens voting and opposing a salary increase of School Board members at this time. File 040645, Copy: Each Supervisor (35)

From Rita Meakin, commenting on some work procedures of the Fire Department. Copy: Each Supervisor (36)

From M.A. Miller, commenting on Fort Funston rulemaking by the National Park Service. (37)

From Rod Marchetta, requesting an explanation of how after laying-off 30 long-time employees at the Department of Telecommunication and Information Services, the Department is now hiring contractors. (38)

From Melissa Wright, submitting support to extend bike lanes on Howard Street from Fifth to Fremont Street. Copy: Each Supervisor (39)

From State Department of the Youth Authority, submitting notice of a public hearing regarding regulations required to ensure the Department allows wards the reasonable opportunity to participate in religious services and programs, as well as be afforded the reasonable opportunity to exercise religious freedom without discrimination or preference unless such is inconsistent with the safety and/or security of the facility or promotes violence or illegal acts on September 1, 2004 in Sacramento, California. (40)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

AUG - 6 2004

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, August 10, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, TONY HALL, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Hall

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of June 22, 2004 and June 29, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

1. 040892 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Noriega Street at 25th Avenue, making this intersection an all-way STOP;

Olmstead Street, stopping westbound Olmstead Street at University Street;

Mateo Street, stopping Mateo Street at Arlington Street, making this intersection two-way STOP-controlled;

Griffith Street at Ingerson Avenue, stopping Griffith Street at Ingerson Avenue, stopping the stem of this T-intersection;

Loehr Street, stopping Visitacion Avenue at Loehr Street, making this intersection an all-way STOP;

Loehr Street and Leland Avenue, stopping Loehr Street and Leland Avenue, making this intersection an all-way STOP;

Roosevelt and Museum Ways, stopping Museum Way and Roosevelt Way, making this intersection an all-way STOP; and

Gellert Drive at Clearfield Drive, stopping Gellert Drive at Clearfield Drive, making this intersection two-way STOP-controlled.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Question: Shall this Resolution be ADOPTED?

2. 040893 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Rhode Island Street, west side, between 15th and Alameda Streets (100 block), legalizing existing conditions; and

Cunningham Place, south side (60-foot zone), legalizing existing conditions.

NO PARKING ANYTIME - ESTABLISH

Cunningham Place, at the terminus between the north and south curbs (40-foot zone).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO STOPPING, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND

Howard Street, north side, from 100 feet east of 3rd Street to Fremont Street.

TOW-AWAY LANE MUST TURN RIGHT - RESCIND

Howard Street, at 5th Street.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Taylor Street, both sides, from Francisco Street to 124 feet northerly.

TOW-AWAY, NO PARKING 9 AM TO 9 PM, EVERYDAY - ESTABLISH

Masonic Avenue, west side, from 120 feet to 380 feet north of Geary Boulevard (frontage of Trader Joe's).

NO PARKING ANYTIME - ESTABLISH

Sears Street, west of Sickles Avenue, from north curb to south curb along the terminus of the street.

TOW-AWAY, NO STOPPING, 7 AM TO 7 PM - RESCIND

Folsom Street, south side, from 90 feet to 105 feet west of 4th Street.

RESIDENTIAL PERMIT PARKING AREA "D" (4-HOUR TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Roanoke Street, both sides, between Arlington Street and southern terminus.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - EXTEND

Harrison Street, north side, between 11th Street and Norfolk Street.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Question: Shall this Resolution be ADOPTED?

3. 040894 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

MUNI VEHICLES ONLY - ESTABLISH

Taylor Street, both sides, from Francisco Street to 124 feet northerly (sidewalks to be widened by five feet).

ONE-WAY STREET - ESTABLISH

Hattie Street, southbound, between Market and 18th Streets; and

Hattie Street, northbound, between Market and Corbett Streets.

RIGHT LANE MUST TURN RIGHT EXCEPT BICYCLES - ESTABLISH

Howard Street, from 3rd Street to 250 feet westerly.

BICYCLE LANES - ESTABLISH

Howard Street, north side, from 5th Street to Fremont Street.

TOW-AWAY, RIGHT LANE MUST TURN RIGHT - RESCIND

Masonic Avenue, southbound, at Geary Boulevard.

(Parking and Traffic Department)

6/18/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2828.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Gonzalez

4. 040712 [Settlement of Lawsuit - Ray Mizyed and Gary Thompson]

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 040713 [Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 040860 [Settlement of Lawsuit - Sixta Santiago]
Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City;
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 040895 [Settlement of Lawsuit - Darius Hinton]
Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]
Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 040359 [Appointment - Childhood Nutrition & Physical Activity Task Force]
Resolution appointing Constance Mourning, for the unexpired portion of a one-year term ending December 12, 2004, to the Childhood Nutrition & Physical Activity Task Force.
Constance Mourning, new appointment, seat 3, must be a member of the Youth Commission, for the unexpired portion of a one-year term ending December 12, 2004.

Question: Shall this Resolution be ADOPTED?

10. 041049 [Appointment - Child Care Planning and Advisory Council]
Resolution appointing Rita Times, for the unexpired portion of a three-year term ending December 31, 2006, to the Child Care Planning and Advisory Council; residency requirement waived.
Rita Times, new appointment, seat 8, must be a nominee of District 8 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative"; for the unexpired portion of a three-year term ending December 31, 2006.

Question: Shall this Resolution be ADOPTED?

11. 041051 [Appointment - Immigrant Rights Commission]

Resolution appointing Vera Haile, Gilbert Alexander, Solomon Jones, Ivy Lee and Houston Zheng, terms ending June 6, 2006, to the Immigrant Rights Commission.

Vera Haile, succeeding herself, term expired, seat 1, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Gilbert Alexander, succeeding Saif Ataya, term expired, seat 2, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Solomon Jones, succeeding Tamara Ribas, term expired, seat 3, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Ivy Lee, succeeding Larisa Casillas, term expired, seat 5, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Houston Zheng, succeeding himself, term expired, seat 9, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for a two-year term ending June 6, 2006.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

12. 040119 [Appointment - Asthma Task Force]

Resolution appointing Gretchen Skaggs and Lucille Valdivia, terms ending June 30, 2005, to the Asthma Task Force.

Gretchen Skaggs, succeeding Deanna Rossi, resigned, seat 3, must be a representative of child care coordinating/advocacy organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Lucille Valdivia, succeeding Michael Walter Green, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2005.

Question: Shall this Resolution be ADOPTED?

13. 040905 [Appointment-Surplus Property Citizens' Advisory Committee]

Resolution appointing James Reilly, Jamie Armstrong, Richard Lee, Scott Clark, Ana Gutierrez, Leroy Moore, Jr. (residency requirement waived), and Sister Bernie Galvin, terms to be determined, to the Surplus Property Citizens' Advisory Committee.

James Reilly, new position, Seat 1, must have expertise in the area of developing permanent housing for homeless people and those at-risk of homelessness, for a term to be determined.

Jamie Armstrong, new position, Seat 2, must have experience in providing supportive services to help individuals and families exit homelessness, for a term to be determined.

Richard Lee, new position, Seat 3, must hold a Real Estate and/or Broker's license, for a term to be determined.

Scott Clark, new position, Seat 4, must be currently or formerly homeless, for a term to be determined.

Ana Gutierrez, new position, Seat 5, must be currently or formerly homeless with their family or is an advocate or service provider for homeless families, for a term to be determined.

Leroy Moore, Jr. (residency requirement waived), new position, Seat 7, must have expertise with disability community issues, for a term to be determined.

Sister Bernie Galvin, new position, Seat 8, must be a homeless senior citizen or an advocate or service provider for homeless senior citizens, for a term to be determined.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

14. 040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]
Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue.
(Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 040887 [Mission Bay - Park P1 Improvements]
Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance.
(Public Works Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 040891 [Mission Bay South Access and Other Agreements]
Resolution approving one new agreement to extend the terms of terminated agreement and to exercise options for extensions of seven other terminated agreements, all containing easements and licenses for access, use, maintenance and operation of infrastructure improvements in Mission Bay South, making such actions retroactive to the date of their respective terminations and authorizing other official actions.
(Public Works Department)
- Question: Shall this Resolution be ADOPTED?

17. 040974 [Zoning Map Amendment in connection with Habitat For Humanities Project]
Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Peskin

18. 040859 [Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]
Supervisor Peskin
Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 040976 [Designating 1201 Ortega Street, the Infant Shelter, as a Landmark]
Supervisor Peskin
Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Peskin, Maxwell

20. 040858 [Accept-Expend Federal Grant]
Resolution authorizing the Municipal Transportation Agency to accept and expend a grant in the amount of \$82,400 from the Metropolitan Transportation Commission for development and production of the Municipal Railway's Short Range Transit Plan for Fiscal Year 2006 and the FY2004 SRTP Interim Update.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

21. 040933 [Disapproving Street Encroachment at 601-605 Market Street]
Resolution affirming the recommendation of the Director of Public Works to disapprove permission to CA SF NO. 1, LP, to occupy a portion of the public right-of-way to replace an existing sub-sidewalk elevator enclosure with a new decorative enclosure and construct and maintain a new stairway at sidewalk level to provide a means of secondary egress from the existing sub-sidewalk basement at the 2nd Street frontage of 601-605 Market Street (Block 3707, Lot 001).
(Public Works Department)
(Companion measure to File 040934.)

Question: Shall this Resolution be ADOPTED?

22. 041015 [Urging Support for Preservation and Restoration of Belli Buildings]
Supervisor Peskin
Resolution urging the Department of Building Inspection to diligently monitor the status and condition of the historic Belli Buildings and expressing support for preserving these historical treasures through all means possible.

7/20/2004, REFERRED to Land Use Committee. Supervisor Hall requested that this matter be referred to Committee.
Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

23. 040856 [Department of Elections Conflict of Interest Code]
Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules.
(Elections Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 040980 [Deadlines for correction and review of ballot arguments]
Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.
(Elections Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

25. 040592 [Payroll Expense Tax Exclusion for Biotechnology Business]
Supervisors Alioto-Pier, Ma, Hall
Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for biotechnology businesses, as specified.
COMMITTEE OF THE WHOLE ADJOURN AND REPORT WITHOUT RECOMMENDATION

6/29/2004, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Alioto-Pier called this measure from the Finance and Audits Committee for Board consideration July 13, 2004.

7/6/04: Notice of Matter Called out of Committee mailed and faxed.

7/13/2004, CONTINUED. Continued to July 20, 2004

7/20/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/20/2004, PASSED ON FIRST READING AS AMENDED.

7/27/2004, AMENDED.

7/27/2004, PASSED ON FIRST READING AS AMENDED. Board to Sit as a Committee of the Whole on August 10, 2004.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**Board of Supervisors Sitting as a Committee of the Whole**

(Pending approval of File Nos. 041097 and 041116)

26. **041078 [Public Hearing - Creating a Disadvantaged Business Utilization Program.]**
Hearing to accept public testimony concerning the possible adoption of an emergency ordinance
creating a Disadvantaged Business Utilization Program.
(Clerk of the Board)

Action: _____

Committee of the Whole Rise and Report Without Recommendation

27. **041117 [Establishing a Disadvantaged Business Enterprise Program]**
Mayor, Supervisor Ammiano
Emergency ordinance amending the San Francisco Administrative Code by adding Chapter 14A to
establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopting
declaration of emergency; making applicable certain emergency contracting procedures; and
providing for data collection to ensure nondiscrimination in City contracting.

Question: Shall this Ordinance be FINALLY PASSED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Land Use Committee at a Regular Meeting on Monday, August 9, 2004 at 1:00 p.m. The Chair may entertain a motion to send the following items to the Board on Tuesday, August 10, 2004 as committee reports.

28. 040322 [Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver]
Supervisor Peskin
Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.
(Fiscal impact.)
- 6/29/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.
7/8/04: Mayor's Office notified of July 15, 2004 Budget Committee meeting.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 041041 [Approving Tiled Steps Project Street Encroachment at 16th Avenue and Moraga Street]
Supervisor Hall
Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and non-slip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.
(Public Works Department)
- Question: Shall this Resolution be ADOPTED?
30. 041072 [Amending the Administrative Code to Require Preparation and Consideration of Healthcare Impact Report in Event of Certain Hospital Construction Resulting in Replacement or Addition of Over Two Hundred Licensed Hospital Beds]
Supervisors Ma, Daly, Maxwell, Gonzalez, Ammiano, Peskin
Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 021825 [RCN Proposed OVS Franchise]**Supervisor Hall**

Ordinance granting a four year franchise to RCN Telecom Services, Inc. with an opportunity for two extensions of three years each, for use of the public rights-of way within the City and County of San Francisco to provide open video system services and cable internet services upon compliance with the terms of this franchise.

(Pursuant to Section 11.11 of the San Francisco Administrative Code, the Controller shall complete the City's review costs and estimate of applicant's proposal fee within 15 business days of receipt of application.)

(12/16/02 in Board: Supervisor Hall presented a substitute draft ordinance bearing new title.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

32. 041119 [Closed Session - Anticipated Litigation as Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) which may occur if the City approves the proposed ordinance (Board File No. 021825) granting a thirteen year franchise to RCN Telecom Services, Inc. for open video system services (OVS). In a letter dated March 7, 2003, Comcast questioned "how the City could assess liquidated damages or other penalties against Comcast for failure to meet franchise build-out requirements while at the same time the City is in the process of granting extensive and substantial relief to Comcast's competitor RCN....Comcast would have no choice but to seek court protection of its rights under City and state law...."

The City Attorney advises that, based upon this March 7, 2003 Comcast letter, there is a significant exposure to litigation against the City if the City approves the proposed RCN franchise ordinance contained in Board File No. 021825.

Government Code Section 54956.9(b)(1) & (3) and San Francisco Administrative Code Section 67.10(d)(2) would permit this closed session.
(City Attorney)

Action: _____

33. **ROLL CALL FOR INTRODUCTIONS**

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. **PUBLIC COMMENT**

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 49

- 35. 041097 [Emergency Disadvantaged Business Program - August 10, 2004 Committee of the Whole]**
Supervisor Ammiano
Motion for the Board of Supervisors to convene as a committee of the whole on August 10, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance creating a Disadvantaged Business Utilization Program.
- 7/29/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 36. 041116 [Suspending 30 Day Rule for Emergency Ordinance to Establish Disadvantaged Business Enterprise Program]**
Mayor, Supervisor Ammiano
Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance amending the municipal code to add Chapter 14A to the San Francisco Administrative Code to establish a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A; adopt declaration of emergency; make applicable certain emergency contracting procedures; and provide for data collection to ensure nondiscrimination in City contracting.
- 8/4/2004, ASSIGNED to Board of Supervisors.
- Question: Shall this Motion be APPROVED?**
- 37. 041081 [Public Hearing - Eminent Domain]**
Supervisor Daly
Motion directing the Board of Supervisors to a public hearing on August 17, 2004, at 3:00 p.m., with the Board sitting as a Committee of the whole, to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?**
- 38. 041062 [Support of AB 2404]**
Mayor
Resolution supporting AB 2404 and urging the California legislature to pass AB 2404 prohibiting local governments from discriminating against any person on the basis of gender within community youth athletics programs.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

39. 041063 **[Commending Deputy City Attorney Michael S. Cohen]**
Supervisors Peskin, Dufty, Maxwell
Resolution commending Michael S. Cohen for nine years of exemplary public service to San Francisco as a Deputy City Attorney and Head of the Finance, Real Estate and Special Projects Division of the City Attorney's Office, and wishing him well in his future endeavors as the new Director of Base Reuse and Development in the Mayor's Office of Economic and Workforce Development.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
40. 041064 **[Wi-Fi Technology]**
Supervisor Hall
Resolution urging the San Francisco Department of Telecommunications provide access to Wi-Fi in all San Francisco city-owned buildings.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
41. 041083 **[Halloween in the Castro]**
Supervisors Dufty, Ammiano
Resolution sanctioning Halloween in the Castro and encouraging coordinated planning of the event.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
42. 041084 **[Vocational services to mentally-ill psychiatric clients in San Francisco]**
Supervisor Alioto-Pier
Resolution authorizing retroactively the San Francisco Department of Public Health to enter into a cooperative program agreement with the State Department of Rehabilitation, San Francisco District, including a required match of \$284,222, to provide vocational services to mentally-ill psychiatric clients in San Francisco; for the period of July 1, 2004 to June 30, 2007.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
43. 041085 **[Commending Department of California Highway Patrol]**
Supervisor Ma
Resolution commending the Department of California Highway Patrol on the occasion of their 75th Anniversary.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

44. 041086 [Commending Sing Tao Daily]
Supervisors Ma, Peskin
Resolution commending Sing Tao Daily for 66 years of outstanding service to the Chinese community in the Bay Area and declaring August 1, 2004 to be "Sing Tao Daily Day" in the City and County of San Francisco.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 041087 [Commending National Night Out]
Supervisor Ma
Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 3, 2004, to be "National Night Out Day" in the City and County of San Francisco.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 041088 [Recurring FY 2004-2005 State grant funds to the Department of Public Health from the California Department of Health Services]
Supervisor Ma
Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for FY 2004-2005.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 041089 [Declaring City Policy Regarding Subtidal Areas]
Supervisor Peskin
Resolution adopting the Bay Conservation and Development Commission policy regarding Subtidal Areas as official policy of the City and County of San Francisco.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 041066 [Authorizing preparation of Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 2, 2004 Election]
Supervisor Alioto-Pier
Motion authorizing preparation of written Opponent ballot argument and rebuttal ballot argument for ordinance submitted by petition for submittal to the voters at the November 2, 2004 Election.
- 7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

49. 041068 [Needle Exchange Emergency]

Supervisors Amuniano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/27/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 20, 2004 to August 2, 2004, for reference by President to appropriate committee on August 10, 2004.

040505 [Fees for notary services]

Supervisors Dufty, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of \$10 for an Acknowledgment and \$10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

4/20/2004, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 5/20/2004.

6/7/2004, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

6/10/2004, RESPONSE RECEIVED. Planning Department, statutory exemption, CEQA guidelines 152.73 rates, tolls, fares & charges.

7/29/2004, SUBSTITUTED. The County Clerk submitted a substitute ordinance bearing new title.

7/29/2004, ASSIGNED to Finance and Audits Committee.

- 040557 [Update of Traffic Code reference pertaining to Taxicab Stands]**
Ordinance amending Section 39 of the San Francisco Traffic Code, updating Section referenced in the San Francisco Police Code pertaining to Taxicab Stands.
(Parking and Traffic Department)
- 7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 040558 [Amending Police Code to extend commercial passenger-carrying vehicle restriction on Lyon Street north of Green Street]**
Ordinance amending Section 1183.17 of the San Francisco Police Code, adding two blocks of Lyon Street to the existing passenger-carrying commercial vehicle restricted areas.
(Parking and Traffic Department)
- 7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 041035 [Amending San Francisco Traffic Code pertaining to Speed Limits on Market Street]**
Ordinance amending Sections 176.14 and 175.32 of the San Francisco Traffic Code, modifying speed limits on portions of Market Street.
(Parking and Traffic Department)
- 7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 041090 [Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]**
Ordinance Conditionally Designating 938-942 Market, the Garfield Building, As Landmark No. 244 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)
(Companion measure to File 041091.)
- 7/29/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 041113 [Settlement of Lawsuit - Constance Ong, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)
- 8/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 20, 2004 to August 2, 2004, for reference by President to appropriate committee on August 10, 2004.

041037 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

34th and Lawton Streets, stopping Lawton Street at 34th Avenue, making this intersection an All-Way STOP;

Grant Avenue and Vallejo Street, stopping Grant Avenue at Vallejo Street, making this intersection an All-Way STOP;

Mateo Street at Arlington Street stopping northbound and southbound Mateo Street at Arlington Street, making this intersection minor street STOP-controlled;

Cayuga and San Juan Avenues, stopping San Juan Avenue at Cayuga Avenue, making this intersection an all-way STOP; and

Grant Avenue and Green Street, stopping Grant Avenue at Green Street, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041038 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

12th Street, east side, from 119 feet to 140 feet south of Kissling Street (between the driveways of the parking garage)

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Broadway, both sides, from Taylor Street to 250 feet westerly (legislates existing conditions); Broadway, south side, from Taylor Street to Himmelman Place (legislates existing conditions); Green Street, north side, From Taylor Street to Mason Street (legislates existing conditions); and Jones Street, east side, from Green Street to Filbert Street (legislates existing conditions).

NO PARKING ANYTIME - RESCIND

Oak Street, north side, from Masonic Avenue to 200 feet westerly.

TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Oak Street, north side, from Masonic Avenue to 300 feet westerly.

TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND

Oak Street, north side, from Ashbury Street to 100 feet easterly.

ANGLE (45-DEGREE) PARKING - ESTABLISH

25th Avenue, east side, from Noriega Street to 90 feet northerly; and 25th Avenue, east side, from Noriega Street to 72 feet southerly.

ANGLE (60-DEGREE) PARKING - ESTABLISH

Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking).

NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS - RESCIND**NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - ESTABLISH**

Staples Street, north side, between Phelan and Hazelwood Avenues.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM,**MONDAY THROUGH FRIDAY) - ESTABLISH**

Florida Street both sides, between 22nd and 23rd Streets (1000 block); and 23rd Street, both sides, between Bryant and Florida Streets (2800 block).

NO PARKING 7 AM - 6 PM - RESCIND

Rolph Street, south side, from Mission Street to 100 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Hill Street, both sides, between Noe and Sanchez Streets (400 block).

TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH**TOW-AWAY, LANE MUST TURN RIGHT - ESTABLISH**

Irving Street, south side, from 19th Avenue to 64 feet westerly.

(Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041039 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH Hawes, Ingalls and Jennings Streets, southbound, onto westbound Ingerson Avenue.

NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto westbound Ingerson Avenue.

(Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

7/20/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041040 [Accept-Expend California State Coastal Conservancy, San Francisco Bay Conservancy Program Grant Funds]

Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of \$125,000 from the California State Coastal Conservancy (CSCC) for the purchase and installation of restroom facilities for the Fifield-Cahill Ridge Trail project on the peninsula watershed in San Mateo County.

(Public Utilities Commission)

7/20/2004, RECEIVED AND ASSIGNED to City Services Committee. 7/27/04: Departments and interested parties notified of August 5, 2004 City Services Committee meeting.

041041 [Approving Tiled Steps Project Street Encroachment at 16th Avenue and Moraga Street] Supervisor Hall

Resolution granting revocable permission to The 16th Avenue Tiled Steps Project to occupy a portion of the public right-of-way to install and maintain mosaic tiles on the risers and non-slip paving tiles on the treads of the existing concrete City stairway on Moraga Street between 16th and 15th Avenues and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(Public Works Department)

7/21/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041042 [Contracting for security guard services for the Hallidie Plaza Elevator at Market and Powell Streets]

Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Hallidie Plaza by private contractor for a lower cost than if the services were performed by city employees.

(Public Works Department)

7/20/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041058 [Accept-Expend Corporate Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$20,000 from the Safe Tree Program for the development of a Comprehensive Urban Forest Plan for the City and County of San Francisco.
(Environment)

7/26/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041082 [Proposition J Contract - Security Guard Services: 1380 Howard Street]

Resolution concurring with Controller's certification that security guard services at the Department of Parking and Traffic Citation and Hearing Offices located at 1380 Howard Street can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041091 [Conditional approval of an historical property contract for 938-942 Market Street – The Garfield Building]

Resolution under Chapter 71 of the San Francisco Administrative Code, conditionally approving an historical property contract between 942 HTC LLC, the owner of conditional landmark No. 244 at 938-942 Market Street and the City and County of San Francisco, conditionally authorizing the Director of Planning and the Assessor to execute the historical property contract.
(Planning Department)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041092 [Street Artist Spaces]

Resolution approving two (2) former temporary winter holiday selling spaces as permanent selling spaces on Market Street, south side, 4th to 5th Streets, and three (3) temporary winter holiday spaces as permanent spaces on Market Street, north side, at Montgomery Street, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said two spaces on Market Street, south side, 4th to 5th Streets, from Police Code Section 2405(c)(6) requiring street artists to sell not within (10) ten feet of the outer edge of any entrance.
(Arts Commission)

7/28/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041104 [Proposition J Contract – Parking Citation and Collection System Services]

Resolution concurring with Controller's certification that processing parking citations and collecting parking citation revenue for the City can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

7/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041114 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$35,710,000 of Regional Measure 2 funds for Municipal Railway capital projects.
(Municipal Transportation Agency)

8/2/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041121 [Petitions and Communications]

Petitions and Communications received from July 20, 2004 through August 2, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 10, 2004.

From Clerk of the Board, submitting Form 700 Statement of Economic Interests: Lena Gomes, Constituent Liaison to Supervisor Chris Daly
Betty Chan, Constituent Liaison to Supervisor Jake McGoldrick (1)

From concerned citizens, submitting opposition to proposed Charter amendment to allow non-citizens to vote in School Board elections. File 040645, Copy: Each Supervisor (2)

Number not used. (3)

From Monika Steiner, submitting request to transfer an off-sale general liquor license (type 21) from 1255 22nd Street to Pier 39, Space J02 for dba Wines of California. (4)

From Jason Lim, appealing decision of Director of Public Works approval of application for a Minor Sidewalk Encroachment permit at 2833 26th Street. File 041055 (5)

From Cingular Wireless, submitting notification letter for a CPUC cellular base site at 1135 Evans Avenue. (6)

From State Senate Rules Committee, submitting appointment of Marilyn Hendrickson of Vacaville to the Fish and Game Commission for term ending January 15, 2010. (7)

From Ethics Commission, submitting list of Sole Source contracts entered into for fiscal year 2003-04. (8)

From Office of the Treasurer, submitting investment activity for fiscal year to date of the portfolios under management. (9)

From concerned citizens, submitting opposition to proposed funding of the San Francisco Library's acquisition of a Radio Frequency Identification system. File 040777, Copy: Each Supervisor (10)

From Luce, Forward, LLP, responding to letter of determination for the 80 Natoma Street project. Copy: Each Supervisor (11)

From Recreation and Parks Department, submitting plan to use \$2 million dollars annually from the Open Space Fund to secure the issuance of a lease revenue bond with an estimated value of \$20 million for rehabilitation of neighborhood parks. Copy: Each Supervisor (12)

From Office of the Controller, submitting report concerning the concession audit of Asiana Airlines. (13)

From Office of the Controller, submitting report concerning the concession audit of Gemini Air Cargo. (14)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Radiation Detection Company. (15)

From Recreation and Parks Department, submitting response to the requirements of Resolution 157-99 (Lead Poisoning Prevention), fourth quarter report of fiscal year 2003-04. (16)

From Office of the City Administrator, regarding status of payments to non-profits grantees of the Mayor's Neighborhood Beautification Fund. (Reference No. 20040608-003) Copy: Supervisors Ammiano, Duffy (17)

From Dan Gourley, submitting support for proposed Charter amendment to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat. File 040643, Copy: Each Supervisor (18)

From Josie Bravo, urging the Board not to increase the sales tax. Files 040979, 040978, 040758, Copy: Each Supervisor (19)

From State Public Utilities Commission, submitting detailed information about PG&E's application to raise rates. (20)

From Society of Professional Journalist, submitting nomination of Erica Craven to the Sunshine Ordinance Task Force, Seat Number 1, for term ending April 2006. Copy: Rules Committee (21)

From Office of the Mayor, submitting list of Supervisors designated as Acting Mayor from July 24 through July 30, 2004. (22)

From Building Inspection Commission, submitting copy of letter sent to City Attorney regarding request for outside counsel to pursue complaints with respect to the fiscal year 2004-05 budget. Copy: Each Supervisor (23)

From Department of Human Resources, regarding amendments to the Annual Salary Ordinance at the Board of Supervisors meeting of July 20, 2004. Copy: Each Supervisor (24)

From Public Utilities Commission, concerning resolution that authorizes solicitation of Request for Proposal for a Design-Build Agreement to build 2.5-kilowatt systems on ten public buildings for \$250,000. (25)

From Office of the Mayor, regarding Sole Source contracts entered into for fiscal year 2003/04. (26)

From Public Utilities Commission, concerning resolution-authorizing solicitation of Request for Proposal for a Design-Build Agreement to build a 300 kilowatt solar photovoltaic system at Pier 36-Norcal Facilities. (27)

From 1884, LLC, regarding rezoning CM Districts to reduce floor area ratio from 9:1 to 3:1. File 040144 (28)

From Civil Service Commission, regarding certification of the prevailing rate of wages for Workers engaged in Rigging, Sound, Projection, Theatrical Lighting, Videos, Computers, Draping, Carpentry, Special Effects and Motion Pictures Services on property owned by the city and County of San Francisco. (29)

From Arts Commission, submitting list of Sole Source contracts enter into fiscal year 2003/04. (30)

From Office of the Treasurer and Tax Collector, submitting quarterly report of accounts receivable for the Bureau of Delinquent Revenue. (31)

From concerned citizens, urging the Board to restore funding for the position of Health Center Director at the Chinatown Public Health Center. (32)

From Round the Diamond, submitting copy of letter sent to the Elections Commission regarding proposed budget for fiscal year 2004-05. File 040776, Copy: Each Supervisor (33)

From Office of the Controller, submitting report concerning the audit of the revolving fund maintained by the Planning Department. (34)

From Office of the Controller, regarding the financial statement audit of the Mentally Ill Offender Crime Reduction Grant, Office of the Sheriff, for the period of July 1, 1999 through March 31, 2004. (35)

From Office of the Public Defender, regarding Sole Source Contracts entered into for fiscal year 2003/04. (36)

From Mark Rennie, submitting request for a premise to premise expansion of a type 48 liquor license for Six, Inc. dba Club Six at 52-60 Sixth Street. (37)

From Peter Warfield, submitting copy of letter in the "Library Journal" regarding recognition for S.F. Library Activists. Copy: Each Supervisor (38)

From Civil Service Commission, submitting survey of monthly rates paid to Police Officers and Firefighters in all cities of 350,000 or more in the State of California. (39)

From Clerk of the Board, submitting list of City departments and agencies that submitted the Conflict of Interest Code Review Reports. (40)

From Office of the Controller, submitting report concerning audit of Malcolm Drilling Co., Inc. and their compliance with the City and County of San Francisco's ordinance prohibiting the use of city funds for political activity. (41)

From Office of the Controller, submitting report concerning the financial review of the San Francisco League of Urban Gardeners (SLUG). (42)

From Office of the Public Defender, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for a contract with Chevron USA, Inc. (43)

From Department of Public Health, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for a contract with Laboratory Corporation of America for lab services. (44)

From Law Library, submitting list of Sole Source Contracts entered into for fiscal year 2003/04. (45)

From Department of Parking and Traffic, concerning possible safety improvements at the intersection of Neptune Street and Thornton Avenue. (46)

From Teamsters Union Local 856, urging the Board to reconsider the proposed reorganization of the Quality Management Department at Laguna Honda Hospital. File 040777 (47)

From USA Network, regarding resolution relating to a USA Network television marketing campaign involving sidewalk stenciling in San Francisco. (48)

From Teamsters' Joint Council No. 7, urging the Board to reconsider awarding the Type 2 Non-Consecutive Day's Legal Advertising to the non-union Independent Newspaper. Copy: Each Supervisor (49)

From Reza Musavi, urging the Board to draft legislation that will do more to attract jobs and businesses to San Francisco. (50)

From Sunset-Parkside Education and Action Committee, urging members of the Rules Committee to appoint Sue Cauthen to the San Francisco Public Library Citizens Advisory Committee. Copy: Rules Committee (51)

From Fire Department, submitting notice of re-inspection of the Tenderloin Police Station at 301 Eddy Street relating to fire and life safety issues (52)

From concerned citizens, submitting support for the Transbay Terminal/Caltrain Downtown Extension including eminent domain acquisition of private developer's property. File 041079, Copy: Each Supervisor (53)

From Office of the Controller, submitting report concerning the concession audit of Mexicana Airlines. (54)

From Department of Human Resources, submitting quarterly report of economic settlements for the quarter April 1 2004 – June 30, 2004. (55)

From Department of Human Resources, submitting preliminary review of the Police Departments proposed new and substitute positions for fiscal year 2004/05. (56)

From Emergency Communications Department, submitting notice that the funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to Board. (57)

From Park Place Residential Care Facility for the Elderly, submitting support for a Minor Sidewalk Encroachment permit at 2833 26th Street. File 041055, Copy: Each Supervisor (58)

From Board of Appeals, regarding Sole Source contracts during fiscal year 2003-04 and 2004-05. (59)

From Department of Administrative Services, submitting an update of the progress in the fleet management program. Copy: Each Supervisor (60)

From the Airport, submitting annual report on Sole Source contracts entered into during fiscal year 2003-04. (61)

From Clerk of the Board, submitting notice that the funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to Board. (62)

From Clerk of the Board, submitting review of the taxicab fare rates. (63)

From Trutanich-Michel, LLP, submitting opposition on behalf of the California Rifle and Pistol Association to proposed ordinance requiring firearm thefts or loss to be reported within 48 hours of discovery. File 031932, Copy: Supervisors Ma, Hall, Dufty (64)

From Municipal Railway, submitting request for waiver of Administrative Code Chapters 12B and 12C for the Palace Hotel. (65)

From the Police Commission, submitting annual report of all gifts or cash donated to the Police Department during fiscal year July 1, 2003 to June 30, 2004. (66)

From Asian American Architects and Engineers, submitting copy of letter sent to Laguna Honda Hospital urging them to reissue the RFP to reflect the City's procedures for securing professional services by selection of the most qualified team to perform special inspection for the Laguna Honda Hospital Replacement Project. (67)

From IFPTE, submitting opposition to contracting out for mainframe support services. File 040785 (68)

From David Steinmetz, urging the Board to support an environmental awareness campaign called No Butts About It in San Francisco. Copy: Each Supervisor (69)

From Coalition for San Francisco Neighborhoods, submitting resolution concerning the Ansel Adams Memorial Grove. (70)

From concerned citizens, urging the Civic Center Public Library to include a center for teenagers when it is renovated in the next few years. (71)

From Richard Knee, submitting copy of letter sent to the S.F. Bay Guardian regarding amendments to the Sunshine Ordinance. Copy: Each Supervisor (72)

From US Army Corps of Engineers, submitting notice of application for a Department of Army permit to construct a master-planned, mixed use development known as the Vast Oak project in the City of Rohnert Park. (73)

From the Ten-Year Planning Council, submitting report entitled "The San Francisco Plan to Abolish Chronic Homelessness" dated June 30, 2004. File 031997, Copy: Each Supervisor (74)

APPOINTMENTS BY THE MAYOR

Treasure Island Development Authority Board of Directors
Jared Blumenfeld

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

August 5, 2004

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Restricting the sale of large caliber firearms, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms sales	031932	City Services Committee	Supervisor Gonzalez	7/13/04	8/12/04
Prohibiting Disclosure of Contractors Performance	040988	Rules Committee	Supervisor McGoldrick	7/13/04	8/12/04
Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America	040989	Rules Committee	Supervisor McGoldrick	7/13/04	8/12/04
Amending the SF Planning Code to change the use classification of Block 3787, Lots 10, 11, 12, 13, 18, 24, 26, 27, 28, 50, 51, and 166 from SLI (Service Light Industrial) to SSO (Service/Secondary Office) in the South of Market Area.	040997	Land Use Committee	Supervisor Daly	7/13/04	8/12/04
Amending the SF Planning Code to allow a financial service use in an SSO (Service/Secondary Office) zoning district	040998	Land Use Committee	Supervisor Daly	7/13/04	8/12/04
Amending the SF Planning Code to impose a fee surcharge on projects in certain areas to recover the City's actual costs in developing an area plan, rezoning, and programmatic environmental review.	041000	Finance and Audits Committee	Supervisor McGoldrick	7/13/04	8/12/04

Amending the SF Subdivision Code to permit the conversion of existing residential buildings to residential condominium or other ownership subject to certain requirements.	041004	Land Use Committee	Supervisor Hall	7/13/04	8/12/04
Requires the Director of Parking and Traffic address Pedestrian Protections issues.	041005	Land Use Committee	Supervisor Ma	7/13/04	8/12/04
Ordinance establishing customer service requirements for cable television and open video system operators.	041006	Land Use Committee	Supervisor Peskin	7/13/04	8/12/04
Ordinance increasing the penalty for littering and nuisance violations	040561	City Services Committee	Supervisor Sandoval	7/20/04	8/20/04
Ordinance amending the height exemption for elevator penthouses from 10 feet to 16 feet	040722	Land Use Committee	Supervisor Hall	7/20/04	8/20/04
Ordinance amending Planning Code to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District	041067	Land Use Committee	Supervisor Gonzalez	7/27/04	8/27/04
Ordinance amending Planning Code for conditional use for change in use or demolition of a movie theatre	041070	Land Use Committee	Supervisor Peskin	7/27/04	8/27/04
Ordinance amending Planning Code Section 703.3 to prohibit formula retail uses in the North Beach Neighborhood	041071	Land Use Committee	Supervisor Peskin	7/27/04	8/27/04
Ordinance amending Traffic Code prohibiting parking of trailers, semi-trailers, motor homes and boats on any highway, street or alley between the hours of 10:00 pm and 6:00 am	041073	Land Use Committee	Supervisor Ma	7/27/04	8/27/04

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

**NOTICE OF BOARD OF SUPERVISORS
RECESS**

Notice is hereby given that the Board of Supervisors will be in recess from August 18, 2004 through September 6, 2004.

The week of September 6 is Legislative Week, and no Board meeting will be held on September 7, 2004. Special Committee meetings may be scheduled.

The next regularly scheduled Board of Supervisors meeting, after recess, will be held on Tuesday, September 14, 2004.

A handwritten signature in black ink, appearing to read "Gloria L. Young", with a long, flowing tail extending to the right.

Gloria L. Young
Clerk of the Board

NOTICE OF PUBLIC HEARING

SUBJECT: PROPERTY ACQUISITION - EMINENT DOMAIN, 80 Natoma Street San Francisco, California

Notice is hereby given that, in accordance with Section 1245.235 of the Code of Civil Procedure, the Board of Supervisors will hold a **PUBLIC HEARING ON August 17, 2004** (time to be determined at the August 10, 2004 Board meeting, but it will likely commence between the hours of 3:00 p.m. and 4:30 p.m. pending Board of Supervisors approval of File No. 041081), in the Board of Supervisors Legislative Chamber, **1 Dr. Carlton B. Goodlett Place, ROOM 250**, to make a finding of whether public interest and necessity require the City and County of San Francisco to acquire, by eminent domain, Lots 45A, 46, 53 and 54 in Assessor's Block 3721 (80 Natoma Street) located in San Francisco for the Transbay/Terminal/Caltrain, Downtown Extension/Redevelopment Project.

You have a right to appear and be heard on the matters referred to in California Code of Civil Procedure Section 1240.030, including, but not limited to, whether: (1) The public interest and necessity require the project and acquisition of the property identified above; (2) the project is planned and located in a manner that will be most compatible with the greatest public good and the least private injury; (3) the City's acquisition of the property is necessary for the proposed project; and (4) the Transbay Joint Powers Authority has made the required offers to the owners of the property.

Persons who have been notified of such public hearing and who, within fifteen days after receipt of such notice, have filed a written request so to do, may appear and be heard at the public hearing. The Board of Supervisors, at its discretion, need not give an opportunity to any other person to appear and be heard.

The procedure of the Board of Supervisors requires that the finding of public interest and necessity be made by a two-thirds vote of all its members.

At the close of the public hearing, a vote will be made on a resolution entitled "Resolution authorizing acquisition by Eminent Domain of Lots 45A, 46, 53 and 54 in Assessor's Block 3721 located in San Francisco for the Transbay/Terminal/Caltrain, Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting under the General Plan and City Planning Code Section 101.1."

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689.

DOCUMENTS DEPT.

Gloria L. Young
Clerk of the Board

JUL 30 2004

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PUBLIC LIBRARY

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

AUG 13 2004

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08-13-04A08:11 RCVD

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 17, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of July 13, 2004, July 20, 2004 and July 27, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 24

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma

1. 040171 **[Supplemental grant award for comprehensive drug court implementation services]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$53,742 from the California Department of Alcohol and Drug Programs (CADP) to supplement comprehensive drug court implementation funding and to enter into an agreement for the use of these funds; for the period of December 29, 2003, to December 28, 2004.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. 040991 [Accept – Expend State Grant]
Mayor, Supervisor Dufty
Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of \$386,423 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

3. 040583 [Airport Concession Lease]
Mayor
Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.
- Question: Shall this Resolution be ADOPTED?
4. 040983 [Contracting out Budget Analyst Services]
Resolution concurring with the controller's certification that the budget analyst services can be practically performed by private contractor for lower cost than similar work services performed by city and county employees.
(Clerk of the Board)
- Question: Shall this Resolution be ADOPTED?
5. 041026 [Extension of Agreement with PRWT Services, Inc]
Resolution authorizing a two-year extension of the agreement between PRWT Services, Inc. and the City and County of San Francisco.
(Parking and Traffic Department)
- Question: Shall this Resolution be ADOPTED?
6. 041042 [Contracting for security guard services for the Hallidie Plaza Elevator at Market and Powell Streets]
Resolution concurring retroactively with the Controller's determination that security guard services can practically be performed at the Hallidie Plaza by private contractor for a lower cost than if the services were performed by city and county employees.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Peskin, Ammiano

7. 041027 [Contracting out Paratransit Services]
Resolution concurring with the controller's determination that it is more economical for the Municipal Transportation Agency to contract for paratransit services than to provide the same service with city and county employees for the period of Fiscal Year 2004-05.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

8. 040322 [Mayor, or Mayor's designee, may waive payment of part of the cost of additional police services, subject to Board's power to reject the waiver]
Supervisors Peskin, Elsbernd
Ordinance permitting the Mayor, or Mayor's designee, to waive, in writing, part of the cost of additional police services, upon consideration of specified criteria and subject to rejection by the Board within thirty (30) days of issuance.
(Fiscal impact.)

6/29/2004, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.
7/8/04: Mayor's Office notified of July 15, 2004 Budget Committee meeting.

8/10/2004, PASSED ON FIRST READING. Supervisor Elsbernd requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
9. 040859 [Designating 165 10th Street, the James Lick Baths/People's Laundry building, as a Landmark]
Supervisor Peskin
Ordinance Designating 165 10th Street, The James Lick Baths/People's Laundry Building, As Landmark No. 246 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

8/10/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 040887 [Mission Bay - Park P1 Improvements]
Ordinance designating a portion of State Trust Parcel 2 and Parcel 7 adjacent to Channel for public open space and park purposes; naming the new park "Mission Creek Park"; designating sidewalk width; accepting the irrevocable offer for the acquisition facilities; designating said facilities to public open space and park purposes and accepting for maintenance responsibilities and liability purposes; adopting findings that such actions are consistent with the City's General Plan, priority policy findings of City Planning Code section 101.1, and the Mission Bay South Redevelopment Plan; accepting Department of Public Works Order No. 174,861 and authorizing official acts in connection with this Ordinance.
(Public Works Department)

8/10/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 040974 [Zoning Map Amendment in connection with Habitat For Humanity Project]**Supervisor Sandoval**

Ordinance amending Zoning Map Sheet 12 of the City and County of San Francisco for property located at 101 Head Street, 105 Head Street, 110 Head Street, 310 DeLong Avenue, 479 DeLong Avenue, 495 DeLong Avenue, 491 DeLong Avenue, 487 DeLong Avenue, 409 DeLong Avenue, 36 Santa Cruz Avenue, 48 Santa Cruz Avenue, 50 Santa Cruz Avenue (Assessor's Block 7153 Lots 008, 008A, 009, 010, 011, 012, 013, 014; Block 7154, Lot 023; Block 7174 Lots 004, 007, 008, 009, 025, 026, 027, 028, 029, 030, 031, 047, 048, 052) to change the zone classification from P, Public Use, to RH-1, Residential House, One Family; adopting findings pursuant to the California Environmental Quality Act; and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Planning Department)

8/10/2004, AMENDED. Supervisor Sandoval requested to be added as a sponsor.

8/10/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

**12. 040976 [Designating 1201 Ortega Street, the Infant Shelter, as a Landmark]
Supervisors Peskin, Ma**

Ordinance designating 1201 Ortega Street, the Infant Shelter, as Landmark No. 242 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

8/10/2004, PASSED ON FIRST READING. Supervisor Ma requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

13. 040717 [Traffic Regulations - Portions of Middle Point Road and Innes Avenue]

Ordinance adding Sections 28.5.55 and 28.5.56 to the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on portions of Middle Point Road and Innes Avenue.
(Parking and Traffic Department)

8/10/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Peskin

14. 040483 [Grant of Regional Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,753,574 of Assembly Bill 664 funds for Municipal Railway Transit projects, excluding administrative overhead costs.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

15. 041058 [Accept-Expend Corporate Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$20,000 from the Safe Tree Program for the development of a Comprehensive Urban Forest Plan for the City and County of San Francisco.
(Environment)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Peskin, Maxwell

16. 040653 [Urging DPT to install 4-way STOP signs at the intersection of Castro and 23rd Streets]
Supervisor Duffy

Resolution urging the Department of Parking and Traffic to install 4-way STOP signs at the intersection of Castro and 23rd Streets.

Question: Shall this Resolution be ADOPTED?

17. 040832 [Traffic Regulations]
Supervisors Duffy, Ammiano
Resolution enacting traffic regulations on various streets.

NO RIGHT TURN ON RED - ESTABLISH
San Jose Avenue at Randall Street; and Guerrero Street, southbound at 24th Street.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

18. 040856 [Department of Elections Conflict of Interest Code]
Ordinance amending Campaign and Governmental Conduct Code section 3.1-215 to update the Department of Elections and Elections Commission conflict of interest code and financial disclosure rules.
(Elections Department)

8/10/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 040980 [Deadlines for correction and review of ballot arguments]
Ordinance amending sections 535 and 590 of the Municipal Elections Code to: change the deadline for correction of errors in rebuttal ballot arguments from noon on the seventy-sixth day before the election to noon on the seventy-fifth day before the election, to be consistent with the deadline for correction of errors in paid ballot arguments; and change the public inspection periods for ballot arguments so that the periods for public review of proponent, opponent, rebuttal and paid arguments, and related materials, all end on the same date, sixty-four days before the election.
(Elections Department)

8/10/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Gonzalez

20. 040712 [Settlement of Lawsuit - Ray Mizyed and Gary Thompson]

Ordinance authorizing settlement of Ray Mizyed's claims in the lawsuit filed by Ray Mizyed and Gary Thompson against the City and County of San Francisco for \$135,000; the lawsuit was filed on May 14, 2003, in the United States District Court for the Northern District of California, Case No. CV 03-02243 WDB, entitled Ray Mizyed, Gary Thompson v. City and County of San Francisco, Johnny Miller, Jesse Williams, Donald Sanders, Mercedes Hernandez, Gwendolyn Tucker. (City Attorney)

8/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 040713 [Settlement of Lawsuit [Partial Settlement] - Ki-Man Song, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Ki-Man Song, Young Soo Lee, Leobardo Trejo, Suk In Yi, Chae Hun Yi, and James Nam against the City and County of San Francisco for \$280,540; the lawsuit was filed on June 3, 2003 in United States District Court, Northern District of California, Case No. C03 2580; entitled Ki-Man Song, et al. v. Jin Construction & Electric Co., et al.; other material terms of said settlement are material terms. (City Attorney)

8/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

22. 040860 [Settlement of Lawsuit - Sixta Santiago]

Ordinance authorizing settlement of the lawsuit filed by Sixta Santiago against the City and County of San Francisco for \$115,000; the lawsuit was filed on December 12, 2003 in San Francisco Superior Court, Case No. CGC 03-426-777; entitled Sixta Santiago v. City and County of San Francisco, et al; other material terms of said settlement are that Plaintiff has agreed to retire from her position with the City. (City Attorney)

8/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

23. 040895 [Settlement of Lawsuit - Darius Hinton]

Ordinance authorizing settlement of the lawsuit filed by Darius Hinton against the City and County of San Francisco for \$33,000; the lawsuit was filed on October 16, 2001 in San Francisco Superior Court, Case No. 400-292; entitled Darius Hinton, et al., v. City and County of San Francisco, et al. (City Attorney)

8/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

24. 040897 [Settlement of Lawsuit - William Salazar and Amy Salazar]

Ordinance authorizing settlement of the lawsuit filed by William Salazar and Amy Salazar against the City and County of San Francisco for \$28,290 to William Salazar and \$6,210 to Amy Salazar; the lawsuit was filed on January 12, 2001 in San Francisco Superior Court, Case No. 318-098; entitled William Salazar and Amy Salazar v. City and County of San Francisco.
(City Attorney)

8/10/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

25. 021825 **[RCN Proposed OVS Franchise]**
Supervisors McGoldrick, Elsbernd
Ordinance granting a four year franchise to RCN Telecom Services, Inc. with an opportunity for two extensions of three years each, for use of the public rights-of way within the City and County of San Francisco to provide open video system services and cable internet services upon compliance with the terms of this franchise.
(Pursuant to Section 11.11 of the San Francisco Administrative Code, the Controller shall complete the City's review costs and estimate of applicant's proposal fee within 15 business days of receipt of application.)
- 8/10/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Supervisors McGoldrick and Elsbernd requested to be added as co-sponsors
8/10/2004, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?
26. 041072 **[Amending the Administrative Code to Require Preparation and Consideration of Healthcare Impact Report in Event of Certain Hospital Construction Resulting in Replacement or Addition of Over Two Hundred Licensed Hospital Beds]**
Supervisors Ma, Daly, Maxwell, Gonzalez, Ammiano, Peskin
Ordinance adding Section 97 to the Administrative Code to require Health Department to draft and distribute Healthcare Impact Report for consideration in evaluating permit application or amendment to Redevelopment Plan regarding private hospital construction resulting in replacement or addition of over two hundred licensed hospital beds.
- 8/10/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma

27. 040574 [Liquor License, 3954 Geary Boulevard]
Resolution determining that the issuance of a Type 48 on-sale general public premises liquor license in exchange for a Type 47 license to Sun Hui Kim for Fizzee's Sports Bar LLC, located at 3954 Geary Boulevard (District 1), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?
28. 040947 [Traffic Regulation - Steiner Street between Lombard and Chestnut Streets]
Supervisor Alioto-Pier
Resolution enacting temporary "Street Closed to Vehicular Traffic" regulation on Steiner Street between Lombard and Chestnut Streets from 1:30 P.M. to 7:00 P.M. on every Tuesday between August 24, 2004 through September 28, 2004.
- Question: Shall this Resolution be ADOPTED?
29. 041040 [Accept-Expend California State Coastal Conservancy, San Francisco Bay Conservancy Program Grant Funds]
Resolution authorizing the San Francisco Public Utilities Commission (SFPUC) to accept and expend a grant in the amount of \$125,000 from the California State Coastal Conservancy (CSCC) for the purchase and installation of restroom facilities for the Fifield-Cahill Ridge Trail project on the peninsula watershed in San Mateo County.
(Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

30. 040505 [Fees for notary services]

Supervisors Duffy, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of \$10 for an Acknowledgment and \$10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 040955 [Fee Adjustments - Planning Department Services]

Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 041060 [MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]

Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 041061 [MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]

Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 040953 [Amended and Restated Property Exchange Agreement]
Supervisors Dufty, Gonzalez, Elsbernd
Resolution approving an amended and restated property exchange agreement substituting City property at the corner of Portola Drive and Burnett Avenue for property located at the corner of Gough and Grove Streets; adopting findings that the amended and restated exchange agreement is categorically exempt from environmental review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

35. 040992 [Hunters Point Shipyard Cooperative Agreement for Fire Services]
Resolution authorizing the San Francisco Fire Department to accept and enter into a grant agreement with the United States Navy reimbursing the San Francisco Fire Department for the costs of providing fire services to portions of the Hunters Point Shipyard remaining under federal ownership.
(Mayor)

Question: Shall this Resolution be ADOPTED?

From the Finance and Audits Committee "Without Recommendation"

Present: Supervisors Daly, Peskin, Ammiano

36. 040973 [Official Advertising - Type 2 non-consecutive day official advertising]
Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

7/27/2004, RE-REFERRED to Finance and Audits Committee.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

37. 020188 [Designating 300 Bartlett Street, The Carnegie Mission Branch Library as Landmark No. 234]
Supervisors Ammiano, Peskin, Maxwell
Ordinance designating 300 Bartlett Street, the Carnegie Mission Branch Library, as Landmark No. 234 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. 030142 [Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]
Supervisors Elsbernd, Peskin, Maxwell
Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, As Landmark No. 231 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. 041003 [Parking Control - Dr. Carlton B. Goodlett Place]
Supervisor Maxwell
Ordinance amending Article 3, Section 32.6.21 of the San Francisco Traffic Code to extend the boundary of the existing permit area, remove the official city-owned vehicle requirement and to replace references to Polk Street with Dr. Carlton B. Goodlett Place to reflect official name change.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 040365 [Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use and add notice and review procedures for changes of use to a formula retail use]
Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval
Ordinance amending Planning Code Section 312 to delete the requirement that changes of use per the use categories of Article 7, and changes in use to a retail coffee stores, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries uses, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312; to add the requirement that changes of use to a formula retail use be subject to the notification and review procedures of Section 312; to add the requirement that building permit applications for a change of use to a bar, liquor store, walkup facility, full-service restaurant, large fast food restaurant, small self-service restaurant, massage establishment, outdoor activity, or adult or other entertainment use be subject to the notification and review procedures of Section 312; to add the requirement that the Planning Department make available and update every six months its list of neighborhood organizations with interests in specific properties or areas; to provide that where a neighborhood organization that is required to receive project notification is not sent such notice the proposed project must be re-noticed; and to make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 040720 [Authorizing the Vacation and Transfer to the Redevelopment Agency of a Portion of Stevenson Street between 3rd and 4th Streets]
Ordinance ordering the summary vacation of an unused and unneeded portion of Stevenson Street between 3rd and 4th Streets; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated portion of Stevenson Street to the San Francisco Redevelopment Agency; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 040912 [Prohibiting eastbound vehicles on Market Street from making a right turn onto the entrance to the Central Freeway at Octavia Street]
Supervisors Gonzalez, Maxwell, Dufty
Resolution enacting traffic regulation on Market Street at entrance to the Central Freeway at Octavia Street.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Peskin

43. 041077 [Union Pacific Railroad track lease for Third St. and Cargo Way for the Third Street LRT Project]
Mayor
Resolution authorizing the Director of Transportation to execute a track lease with the Union Pacific (UP) and Burlington Northern Santa Fe (BNSF) Railroads that leases approximately three hundred ten (310) feet of UP's spur track at the intersection of Third Street and Cargo Way for a term of 25 years, rent of \$10 per year, and a one-time administrative fee of \$500 for a total cost of \$750, and requires the City to repair and maintain the track and const and maintain a railroad crossing signal system.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.**44. 041020 [Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Clerk of the Board)

Action: _____

45. 041021 [Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

46. 041022 [Public Hearing]

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon.
(Clerk of the Board)

Action: _____

47. 041023 [Unpaid DPH Delinquent Refuse Service Payment Liens to become special assessments to the property taxes]

Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M.

48. 041024 [Public Hearing]
Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above
(Clerk of the Board)

Action: _____

49. 041025 [Special Assessment Liens for Assessment Costs]
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Building Inspection Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

50. 041055 [Public Hearing - Minor Sidewalk Encroachment Appeal - 2833 26th Street]

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its letter dated July 8, 2004, approving a Minor Sidewalk Encroachment Permit No. 04MSE-125 to legalize the construction of a warped driveway ramp and two (2) planter boxes encroaching 3'-0" public sidewalk right-of-way to provide access to a garage below grade, fronting the property at 2833 26th Street, Lot 020 in Assessor's Block 4334. (Appellant: Jason Lin.)
(Filed 7/22/04; companion measure to Files 041056, 041057; District 9.)

Action: _____

(Only one of the following two motions should be adopted.)**51. 041056 [Minor Sidewalk Encroachment Permit Appeal - 2833 26th Street]**

Motion approving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 2833 26th Street and denying the appeal.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

52. 041057 [Minor Sidewalk Encroachment Permit Appeal - 2833 26th Street]

Motion disapproving the decision of the Director of Public Works' approval of a minor sidewalk encroachment permit at 2833 26th Street and denying the encroachment permit.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

53. 041080 [Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project]
Hearing to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

54. 041079 [Eminent Domain - Resolution of Necessity (80 Natoma)]
Supervisors Daly, Ammiano, Dufty
Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, August 11, 2004 at 10:00 a.m. The Chair entertained a motion to send the following items to the Board on Tuesday, August 17, 2004 as committee reports, as the meeting concluded after 12:00 noon.

55. 040904 **[Appointment - San Francisco Bay Conservation and Development Commission]**
Supervisor Peskin
Resolution appointing David Owen, indefinite term, as an alternate member of the San Francisco Bay Conservation and Development Commission.
- Question: Shall this Resolution be ADOPTED?
56. 040771 **[Appointment - Bicycle Advisory Committee]**
Resolution appointing Francisco Hernandez to the Bicycle Advisory Committee for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.
Francisco Hernandez, succeeding Cynthia Powell, resignation, seat 9, must be a nominee of District 9 Supervisor, for a two-year term or for the tenure of the Supervisor who nominated the member, whichever is shorter in duration, term ending November 19, 2004.
- Question: Shall this Resolution be ADOPTED?
57. 041105 **[Appointment - SRO Hotel Safety and Stabilization Task Force]**
Resolution appointing Henry Karnilowicz to the SRO Hotel Safety and Stabilization Task Force for the unexpired portion of a term ending December 31, 2004.
Henry Karnilowicz, succeeding Kiran Patel, resigned, seat 2, must be an owner or manager of SRO Hotel, for the unexpired portion of a term ending December 31, 2004.
- Question: Shall this Resolution be ADOPTED?
58. 041106 **[Appointment - Library Citizens Advisory Committee]**
Resolution appointing Gayle Leyton to the Library Citizens Advisory Committee for a two-year term ending July 18, 2006.
Gayle Leyton, new appointment, seat 12, must be a member from the community at large, representative of senior citizens, for a two-year term ending July 18, 2006.
- Question: Shall this Resolution be ADOPTED?

59. 041107 **[Appointment - Sunshine Ordinance Task Force]**
Resolution appointing Erica Craven to the Sunshine Ordinance Task Force for the unexpired portion of a two-year term ending April 27, 2006.
Erica Craven, succeeding Nicole Dogwill, resigned, seat 1, must be appointed from names submitted by the local chapter of the Society of Professional Journalists and be an attorney, for the unexpired portion of a two-year term ending April 27, 2006.

Question: Shall this Resolution be ADOPTED?

60. 041108 **[Appointment - Power Plant Task Force]**
Resolution appointing John Kosinski to the Power Plant Task Force for the unexpired portion of a two-year term ending November 1, 2005.
John Kosinski, new appointment, seat 8, must be the head of the San Francisco Labor Council or his/her designee, for the unexpired portion of a two-year term ending November 1, 2005.

Question: Shall this Resolution be ADOPTED?

61. 041109 **[Appointment - Asthma Task Force]**
Resolution appointing Neil Gendel to the Asthma Task Force for the unexpired portion of a two-year term ending June 30, 2005.
Neil Gendel, succeeding Ann Melamed, resigned, seat 7, must be a representative of an environmental health/justice organization and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Question: Shall this Resolution be ADOPTED?

62. 041110 **[Appointment - Childhood Nutrition and Physical Activity Task Force]**
Resolution appointing Marilyn Wann to the Childhood Nutrition and Physical Activity Task Force for the unexpired portion of a one-year term ending December 12, 2004.
Marilyn Wann, succeeding Esther Rothblum, resigned, seat 8, must be a member of a civil rights organization addressing weight size discrimination, for the unexpired portion of a one-year term ending December 12, 2004.

Question: Shall this Resolution be ADOPTED?

63. 041111 [Appointment - Assessment Appeals Board No. 1]

Resolution appointing Peter Fatooh and Carol Ruth Silver to the Assessment Appeals Board No. 1 for a three-year term ending September 3, 2007.

Peter Fatooh, succeeding himself, term expiring September 6, 2004, seat 1, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Carol Ruth Silver, succeeding Thomas Ramm, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code as follows: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board for a three-year term ending September 3, 2007.

Question: Shall this Resolution be ADOPTED?

64. 041112 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Margaret Ruxton, Mervin Conlan and Richard Lee for a three-year term ending September 3, 2007 as members to the Assessment Appeals Board No. 2.

Margaret Ruxton, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Mervin Conlan, succeeding himself, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007. Richard Lee, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

Question: Shall this Resolution be ADOPTED?

65. 040857 **[Settlement of Claim - Cambridge Integrated Services, Inc.]**
Resolution approving settlement of claim by City and County of San Francisco against Cambridge Integrated Services, Inc., for claimed errors and omissions by Cambridge in administering the workers' compensation claim of City employee Fanny Tang.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?
66. 040931 **[Settlement of Lawsuit - Applied Remedial Technologies, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
67. 040938 **[Settlement of Administrative Civil Liability Complaint]**
Resolution approving the settlement of the unlitigated administrative civil liability complaint filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of \$118,000; approving use of said amount for an environmental mitigation project, subject to approval of the Regional Board Water Quality Control Board, in an amount not to exceed \$110,000, plus payment of an \$8,000 penalty.
(City Attorney)
- Question: Shall this Resolution be ADOPTED?
68. 040975 **[Settlement of Lawsuit - Jean B. Applebaum]**
Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for \$240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al.
(City Attorney)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
- The following item will be considered by the City Services Committee at a Regular Meeting on Thursday, August 12, 2004 at 9:30 a.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, August 17, 2004 as a committee report.*
69. 041036 **[Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]**
Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$93,666 from the Private Industry Council of San Francisco for providing employment and education services to young offenders in the county jail and after their release.
(Sheriff)
- Question: Shall this Resolution be ADOPTED?

The following item will be considered by the City Services Committee at a Recessed Meeting on Thursday, August 12, 2004 at 9:35 a.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, August 17, 2004 as a committee report.

- 70. 040392 [Liquor License Transfer, 1528 Fillmore Street]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 601 Baker Street to 1528 Fillmore Street (District 5), to Sung W. Lee, dba Woori Food Market, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Proessions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, August 16, 2004 at 1:00 p.m. The Chair may entertain a motion to send the following item to the Board on Tuesday, August 17, 2004 as a committee report.

- 71. 041114 [Grant of Regional Funds]**
Resolution authorizing the Municipal Transportation Agency to accept and expend \$35,710,000 of Regional Measure 2 funds for Municipal Railway capital projects.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

72. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

73. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 74 through 84

74. 041130 **[Accept-Expend State and Regional Grants]**
Supervisor Dufty
Resolution authorizing the Director of Transportation or his designee to apply for, accept, and expend \$559,600 in Bicycle Transportation Account, Bay Area Air Quality Management District, and Transportation Development Act grant funds to implement various projects and programs recommended in the San Francisco Bicycle Plan and to execute any and all associated documents.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
75. 041131 **[75% Waste Diversion Goal for City Departments]**
Supervisor Dufty
Resolution adopting a goal of 75% landfill diversion by the year 2010 for each City department.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
76. 041132 **[STOP Intersection - 23rd and Castro Streets]**
Supervisor Dufty
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
Castro Street and 23rd Street, making this intersection an all-way STOP.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
77. 041136 **[Initiate the Designation of 900 Innes Avenue, the Hunter's Point School, as a City Landmark]**
Supervisor Maxwell
Resolution initiating the designation of 900 Innes Avenue, the Hunter's Point School, Block 4646, Lot 03, as a City landmark pursuant to Planning Code Section 1004.1.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
78. 041135 **[Commending Tony Hall]**
Supervisors Elsbernd, Dufty, Ma, Alioto-Pier
Resolution commending Tony Hall for his distinguished service as Supervisor of the City and County of San Francisco.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

79. 041146 **[Accept-Expend Federal Pass Through Grant]**
Supervisor Elsbernd
Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of \$26,325,036 from the State of California Office of Homeland Security for the purposes of providing financial assistance directly to selected jurisdictions through the Fiscal Year 2004 Urban Areas Security Initiative (UASI) to address the unique equipment, training, planning, and exercise needs of large urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
80. 041147 **[Accept-Expend Federal Pass Through Grant]**
Supervisor Elsbernd
Resolution authorizing the Office of Emergency Services to accept and expend a Federal pass through grant in the amount of \$2,896,198 from the State of California Office of Homeland Security for the purpose of providing financial assistance directly to selected jurisdictions for emergency prevention, preparedness, and response personnel to prevent, deter, respond to, and recover from threats and incidents of terrorism.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
81. 041156 **[Calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan]**
Supervisors Dufty, Maxwell
Resolution calling upon the President to acknowledge and condemn the genocide in the Darfur region of Western Sudan.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
82. 041157 **[Commendation of 11th Annual Pistahan Parade and Festival 2004]**
Supervisor Ma
Resolution commending 11th Annual Pistahan Parade and Festival 2004.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**
83. 041158 **[Commendation of 84th Anniversary of the 19th Amendment]**
Supervisor Ma
Resolution commending the 84th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.
- 8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?**

84. 041159 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

85. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 3, 2004 through August 9, 2004, for reference by President to appropriate committee on August 17, 2004.

041118 [Public Employment]

Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the creation of five positions at the Department of Public Health.
(Human Resources Department)

8/4/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041126 [Setting San Francisco's fiscal year 2004-2005 property tax rate and establishing pass-through rate for residential tenants]

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2005.
(Controller)

8/9/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

041127 [Setting S.F. Unified School District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2005.
(Controller)

8/9/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

041128 [Setting S.F. Community College District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2005.
(Controller)

8/9/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the September 15, 2004 meeting.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 3, 2004 through August 9, 2004, for reference by President to appropriate committee on August 17, 2004.

041036 [Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of \$93,666 from the Private Industry Council of San Francisco for providing employment and education services to young offenders in the county jail and after their release.
(Sheriff)

8/3/2004, RECEIVED AND ASSIGNED to City Services Committee. Sheriff's Dept. notified of August 12, 2004 City Services Committee meeting.

8/4/2004, REFERRED TO DEPARTMENT. Referred to the Youth Commission for comment and recommendation.

- 041115 [Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
- 8/3/2004, RECEIVED AND ASSIGNED to Land Use Committee.
- 041123 [Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property]**
Resolution fixing prevailing wage rates for workers engaged in theatrical or technical services (including but not limited to rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services) for shows on property owned by the City and County of San Francisco.
- 8/6/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.
- 041125 [Settlement of claim - Gibson Group Trust]**
Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed \$67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California.
(City Attorney)
- 8/9/2004, RECEIVED AND ASSIGNED to Rules Committee.
- 041162 [Improve pedestrian safety in San Francisco by coordinating citywide and targeted community-based safety campaigns]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$319,706 from the California Office of Traffic Safety (OTS) to improve pedestrian safety in San Francisco and to enter into an agreement for the use of these funds; for the period of October 1, 2004, to December 31, 2006.
(Public Health Department)
- 8/6/2004, RECEIVED AND ASSIGNED to City Services Committee.
- 041163 [Provide assertive case management to people with HIV and substance abuse and mental disorders, Year 2]**
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend second year grant funds in the amount of \$487,805 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2004, to May 30, 2005.
(Public Health Department)
- 8/6/2004, RECEIVED AND ASSIGNED to City Services Committee.

041164 [Provide SSI application assistance to the chronically homeless and mentally ill in San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$195,320 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2004, to April 30, 2005.
(Public Health Department)

8/6/2004, RECEIVED AND ASSIGNED to City Services Committee.

041165 [Conveyance of Property in San Mateo County]

Resolution authorizing a conveyance of property in the County of San Mateo; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act and ratifying acts and authorizing actions in furtherance of this resolution.
(Real Estate Department)

8/6/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041166 [Estate of Doris Campos]

Resolution accepting the bequest of Doris Campos on behalf of needy senior residents of San Francisco and designating the Department of Aging and Adult Services as the department to manage the distribution of the estate.
(Adult and Aging Services)

8/6/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041170 [Petitions and Communications]

Petitions and Communications received from August 3, 2004 through August 9, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 17, 2004.

From concerned citizens, submitting opposition to proposed ballot measure that would close JFK Drive in Golden Gate Park to vehicular traffic on Saturdays. Approximately 150 letters (1)

From Fine Arts Museums of San Francisco, submitting Annual Report and Sole Source Contracts for fiscal year 2003-04. (2)

From Redevelopment Agency, submitting approved Redevelopment Agency budget for fiscal year 2004-05. (3)

From Public Library, submitting pertinent information regarding the detailed process involved in legally using the Library Preservation Funds appropriated by the Board of Supervisors to the school district. (4)

From Clerk of the Board, submitting Form 700 Statement of Economic Interests:
Thomas Lee, Constituent Liaison to Supervisor Tom Ammiano;
Diana Parker, Constituent Liaison to Supervisor Dufty. (5)

From Department of Public Health, submitting support for an emergency ordinance amending the Administrative Code entitled "Establishing a Disadvantaged Enterprise Program." File 040365, Copy: Supervisor McGoldrick (6)

From concerned citizens, submitting request to continue proposed ordinance amending Planning Code to delete the requirement that changes in use to a retail coffee store or pharmaceutical and personal toiletries use that subject to the notification and review. File 040365, Copy: Supervisor McGoldrick (7)

From concerned citizens, submitting concern with the current enforcement of the always over-looked off-leash laws by the Golden Gate National Recreation Area. (8)

From the Risk Management Program, submitting the Risk Management indemnification quarterly report for April through June 2004. (9)

From the Gay Asian Pacific Alliance, submitting press release regarding the first ever Asian American rally to support marriage equality on August 8, 2004 in San Francisco. (10)

From Southeast Community Facility Commission, submitting annual report for fiscal year 2003-04. (11)

From Office of the Controller, responding to inquiry regarding status of outstanding payments to contractors of the Neighborhood Beautification Program. (Reference No. 2004060808-002) Copy: Supervisors Ammiano, Dufty (12)

From Public Library, submitting list of Sole Source contracts entered into during the past fiscal year. (13)

From Office of the District Attorney, submitting list of Sole Source contracts entered into during the past fiscal year. (14)

From Mayor's Office of Community Development, submitting request for release of reserved Emergency Shelter Grant funds in the amount of \$96,115. File 04-0449 (15)

From Department of Human Resources, Workers' Compensation Division, submitting letter in support of an emergency ordinance establishing a Disadvantaged Business Enterprise Program. File 04117, Copy: Each Supervisor (16)

From Real Estate Division, submitting list of real property owned by the City and County of San Francisco as of fiscal year June 30, 2004. Copy: Each Supervisor, Budget Analyst (17)

From James Falletti, submitting request to transfer a Type 20 Off-Sale Beer and Wine license from 2055 McAllister Street to the new location at the NEC of Broderick and Oak Streets for Falletti & Baldiocchi Finer Foods, Inc., dba Falletti Foods. (18)

From Department of Public Works, submitting support for proposed ordinance that establishes a Disadvantage Business Enterprise Program. File 041117, Copy: Each Supervisor (19)

From Office of Contract Administration, submitting contract data of the first three months of fiscal year 2003-04 that were subject to the requirements of Chapter 12D.A of the City's Administrative Code. File 041117, Copy: Each Supervisor (20)

From Lauren Yee, urging the Library Commission to consider building an enlarged and improved Teen Center when the Main Library is renovated. (21)

From Richard Skaff, commenting that the "Hearts" art project that has been installed throughout San Francisco was created and installed without any review for compliance with state and federal access codes and regulations access requirements of the American's with Disabilities Act. (22)

From concerned citizens, congratulating Sean Elsbernd on his appointment as District 7 Supervisor. (23)

From Karl Krupp, submitting copy of letter sent to the Bay Area Quality Management District, regarding draft report entitled "Resource, Reliability and Environmental Concerns of Aging Power Plant Operations and Retirements" dated July 30, 2004. (24)

From Assessment Appeals Board, submitting decision for the applications filed on behalf of 555 California Street, LLC; including a summary of the Board's valuation for these properties. (25)

From Department of Elections, submitting notice that the Department of Elections, in conjunction with New California Media, will hold a press briefing on Ranked-Choice Voting for San Francisco's Ethnic Media Outlets on August 12, 2004 at 10:00 a.m. in room 416 of City Hall. Copy: Each Supervisor (26)

From William Schmid, submitting notice that the property located at Waller and Broderick Streets is a major fire hazard, including trees entangled in with the power lines, old and dried up weeds and grass covering half the area. Copy: Supervisor Duffy (27)

From Denise D'Anne, submitting support for the Transbay Terminal/Caltrain Downtown Extension including eminent domain acquisition of private developer's property. File 041079, Copy: Each Supervisor (28)

From Christine Ortiz, urging the Board of Supervisors to appoint Sue Cauthen to the Library Citizens Advisory Committee. Copy: Rules Clerk (29)

From John Potapenko, submitting opposition to proposed funding of the San Francisco Library's acquisition of a Radio Frequency Identification system. File 040777, Copy: Each Supervisor (30)

From Recreation and Parks Department, submitting letter in support of an emergency ordinance establishing a Disadvantaged Business Enterprise Program; including information regarding the departments urgent contracting needs. File 041117, Copy: Each Supervisor (31)

From Law Library, submitting notice that the Law Library has no current or prospective contracts that would be affected by proposed legislation amending Administrative Code Chapters 12L and 12M. (32)

From Ayla Tiago, submitting her concern with the risks MUNI passengers have to take everyday in order to board/get off the N Judah line at stops that do not have a passenger "island." Copy: MUNI (33)

From Comcast Cable, submitting courtesy notice of additional programming services offered to customers who reside in the rebuilt Comcast Cable areas. (34)

From Judy Thompson, regarding Administrative Code Section 12B compliance issues. Copy: Each Supervisor (35)

From California Public Utilities Commission, submitting notice that Pacific Gas and Electric Company filed an application asking for authority to issue Energy Recovery Bonds, to allow PG&E to reduce its electric rates. (36)

From Helen Jones, regarding the Mayor's choice for Supervisor of District 7. Copy: Supervisor Elsbernd (37)

From Hayes Valley Neighborhood Association, regarding conveyance of Central Freeway "Parcel" to Spiers Construction Company. File 040912, Copy: Land Use Committee Members (38)

ADJOURNMENT

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

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AUG 13 2004

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**NOTICE OF BOARD OF SUPERVISORS
RECESS**

08-13-04 A08:10 RLV

Notice is hereby given that the Board of Supervisors will be in recess from August 18, 2004 through September 6, 2004.

The week of September 6 is Legislative Week, and no Board meeting will be held on September 7, 2004. Special Committee meetings may be scheduled.

The next regularly scheduled Board of Supervisors meeting, after recess, will be held on Tuesday, September 14, 2004.

A handwritten signature in dark ink, appearing to read "Gloria L. Young", with a long, flowing underline.

Gloria L. Young
Clerk of the Board



City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice

Transmitted 08-30-2004

A public hearing will be held on 9/14/04 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

041199 Public Hearing - Appeal of Categorical Exemption - 2404 Broadway Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2004, Case No. 2004.0406E, approving the proposed project to vertically and horizontally expand an existing three-story-over-basement Colonial Revival house located at 2404 Broadway Street, Assessor's Block 562, Lot 4. (Appellants: Suzanne and Francoise Antounian, represented by their attorneys, G. Scott Emblidge and Rebecca Bedwell-Coll of Moscone, Emblidge & Quadra, LLP.)

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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AUG 31 2004

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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SEP - 9 2004

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113-09-04 P111-111 PER

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 14, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsuprvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of August 10, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. 040505 [Fees for notary services]

Supervisors Duffy, Ammiano

Ordinance amending San Francisco Administrative Code Sections 8.33.1, 833.2, and 834.1 to authorize the County Clerk, the Assessor-Recorder, and the Tax Collector to charge fees for providing notary services to the public in the amount of \$10 for an Acknowledgment and \$10 for a Jurat; and ratifying that requests for marriage certificate index records are subject to the same charges as are fictitious business name index records.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 040955 [Fee Adjustments - Planning Department Services]
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Article 3.5 to adjust fees for Planning Department services; and making environmental findings.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 041060 [MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1)]
Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 1) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 041061 [MOU - San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2)]
Mayor

Ordinance adopting and implementing Amendment #1, the negotiated agreement that amends the 2003-2005 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Fire Fighters Union, Local 798, IAFF, AFL-CIO (Unit 2) by extending the term of the parties' agreement through June 30, 2007 and by implementing specified terms and conditions of employment for fiscal years 2004-2005, 2005-2006 and 2006-2007 in accordance with the MOU's reopener provision.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

5. 020188 [Designating 300 Bartlett Street, The Carnegie Mission Branch Library as Landmark No. 234]
Supervisors Ammiano, Peskin, Maxwell, Gonzalez
Ordinance designating 300 Bartlett Street, the Carnegie Mission Branch Library, as Landmark No. 234 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.

8/17/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

6. 030142 [Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]
Supervisors Elsberud, Peskin, Maxwell
Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, as Landmark No. 231 Pursuant to Article 10, Sections 1004 And 1004.4 of the Planning Code.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 040720 [Authorizing the Vacation and Transfer to the Redevelopment Agency of a Portion of Stevenson Street between 3rd and 4th Streets]
Ordinance ordering the summary vacation of an unused and unneeded portion of Stevenson Street between 3rd and 4th Streets; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; authorizing the conveyance of the vacated portion of Stevenson Street to the San Francisco Redevelopment Agency; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 041003 [Parking Control - Dr. Carlton B. Goodlett Place]
Supervisor Maxwell
Ordinance amending Article 3, Section 32.6.21 of the San Francisco Traffic Code to extend the boundary of the existing permit area, remove the official city-owned vehicle requirement and to replace references to Polk Street with Dr. Carlton B. Goodlett Place to reflect official name change.

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

9. 040931 [Settlement of Lawsuit - Applied Remedial Technologies, Inc.]
Ordinance authorizing settlement of the lawsuit filed by Applied Remedial Technologies, Inc. against the City and County of San Francisco for eighty thousand dollars (\$80,000); the lawsuit was filed on in the Superior Court of the City and County of San Francisco , Case No.CGC-03-419941; entitled Applied Remedial Technologies, Inc. v. City and County of San Francisco, et al.
(City Attorney)

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 040975 [Settlement of Lawsuit - Jean B. Applebaum]

Ordinance authorizing settlement of the lawsuit filed by Jean B. Applebaum against the City and County of San Francisco for \$240,000; the lawsuit was filed on July 31, 2002 in San Francisco Superior Court, Case No. 410-962; entitled Jean B. Applebaum, et al., v. City and County of San Francisco, et al.
(City Attorney)

8/17/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Finance and Audits Committee "Without Recommendation"

Present: Supervisors Daly, Peskin, Ammiano

11. 040973 [Official Advertising - Type 2 non-consecutive day official advertising]
Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

7/27/2004, RE-REFERRED to Finance and Audits Committee.

8/17/2004, CONTINUED. Continued to September 14, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin

12. 040144 [Basic Floor Area Ratio Limit for C-M Zoning Districts]
Supervisors Daly, Gonzalez
Ordinance amending the San Francisco Planning Code by amending Section 124(a) to provide that the basic floor area ratio limit for C-M Zoning Districts is 3.0 to 1 except for landmark buildings in C-M Zoning Districts; adopting findings.

7/20/2004, AMENDED. Amended on page 1, line 10, by deleting entire "Section 1." and by renumbering "Section 2" to "Section 1"; and further amended, amendment of the whole bearing new title.

7/20/2004, PASSED ON FIRST READING AS AMENDED.

7/27/2004, CONTINUED. September 14, 2004

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin

13. 041090 **[Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]**
Ordinance Conditionally Designating 938-942 Market, the Garfield Building, as Landmark No. 244 pursuant to Article 1, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)
(Companion measure to File 041091.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 040435 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency Board of Directors to accept and expend \$3,929,039 of Federal Earmarked Capital Assistance for design and construction of Muni's Islais Creek facility.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

15. 040436 **[Grant of Federal Funds]**
Resolution authorizing the Municipal Transportation Agency Board to accept and expend \$8,857,610 of Federal New Starts Capital Assistance for the Third Street-Phase II, New Central Subway project excluding administrative overhead costs.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

16. 041092 **[Street Artist Spaces]**
Resolution approving two (2) former temporary winter holiday selling spaces as permanent selling spaces on Market Street, south side, 4th to 5th Streets, and three (3) temporary winter holiday spaces as permanent spaces on Market Street, north side, at Montgomery Street, for street artists certified by the Arts Commission, City and County of San Francisco; and exempting said two spaces on Market Street, south side, 4th to 5th Streets, from Police Code Section 2405(c)(6) requiring street artists to sell not within (10) ten feet of the outer edge of any entrance.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations**SPECIAL ORDER 3:30 P.M**

17. 041024 **[Public Hearing - 1053-1055 Clayton Street]**
Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Clerk of the Board)

8/17/2004, CONTINUED. Continued to September 14, 2004

Action: _____

18. 041222 **[Assessment of Costs Special Assessment Lien for 1053-1055 Clayton Street]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., and Sections 108 and 110 Tables 1-K, and 1-G of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.

8/17/2004, CONTINUED AS DIVIDED. Continued to September 14, 2004

Question: Shall this Resolution be **ADOPTED**?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

19. 041199 [Public Hearing - Appeal of Categorical Exemption - 2404 Broadway Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2004, Case No. 2004.0406E, approving the proposed project to vertically and horizontally expand an existing three-story-over-basement Colonial Revival house located at 2404 Broadway Street, Assessor's Block 562, Lot 4. (Appellants: Suzanne and Francoise Antounian, represented by their attorneys, G. Scott Emblidge and Rebecca Bedwell-Coll of Moscone, Emblidge & Quadra, LLP.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**20. 041200 [Affirming the categorical exemption issued for 2404 Broadway Street]**

Motion affirming the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. 041201 [Disapproving the categorical exemption issued for 2404 Broadway Street]
Motion disapproving the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

22. 041202 [Preparation of findings related to the categorical exemption issued for 2404 Broadway Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

24. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 25 through 33

25. 041179 [Commending Bill Johnson]
Supervisors Elsbernd, Sandoval
Resolution commending Bill Johnson on being the recipient of the OMRA's (Outer Mission Resident Association) "Claire Shea Person of the Year Award.
- 8/17/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 041180 [Commending the Stern Grove Festival Association and the Recreation and Park Department]
Supervisors Elsbernd, Ammiano, Ma
Resolution commending the Stern Grove Festival Association and the Recreation and Park Department for a successful season of high quality performances, and extending best wishes to the Association's efforts with the Stern Grove Festival's Legacy Campaign.
- 8/17/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
27. 041193 [Urging the Governor of California, California Senate and State Assembly to reject Assembly Bill 2006]
Supervisor Ammiano
Resolution urging the Governor of California, California Senate and State Assembly to reject Assembly Bill 2006, and further urging the California Public Utilities Commission to accelerate its Community Choice proceedings and continue its coordination of electric utility procurement and Community Choice Aggregation efforts in order to protect the rights of California ratepayers.
- 8/17/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. 041194 [Maung Maung Day]
Supervisor Ammiano
Resolution declaring August 10th, 2004 to be Maung Maung Day.
- 8/17/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

29. 041195 [Supporting the United Farm Workers, and urging Gallo of Sonoma to extend health benefits to the remaining 75 % of its workforce hired through farm labor contractors]
Supervisor Ammiano
Resolution supporting the rights of working people to organize and furthermore urging Gallo of Sonoma and all employers to value the contribution of their workers and therefore project a positive image by meeting basic standards of fairness in all operations including fair wages, healthcare and benefits.
- 8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
30. 041196 [Harvey Milk Memorial Funds Transfer]
Supervisor Gonzalez
Resolution requesting the office of the Controller of the City and County of San Francisco to transfer funds in the account for the Harvey Milk Memorial to the Harvey Milk City Hall Memorial Committee.
- 8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
31. 041197 [Supporting card check neutrality agreements specifically between the Department of Human Services and contracts which have been competitively bid]
Supervisor Sandoval
Resolution supporting card check neutrality agreements for contracts with the Department of Human Services, the City and County of San Francisco.
- 8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
32. 041239 [Gift acceptance - 19th Avenue radar speed signs]
Supervisors Elsbernd, Ma
Resolution accepting a gift from the California State Automobile Association for two radar speed signs designated for use on 19th Avenue and all costs associated with installation of this equipment valued at \$22,301.
- 9/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
33. 041198 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

34. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 10, 2004 through September 3, 2004, for reference by President to appropriate committee on September 14, 2004.

041206 [Settlement of Lawsuit - Yvette Castillo]

Ordinance authorizing settlement of the lawsuit filed by Yvette Castillo against San Francisco General Hospital and the City and County of San Francisco for \$96,400; the lawsuit was filed on April 30, 2003 in San Francisco Superior Court, Case No. 416346 entitled Yvette Castillo v. San Francisco General Hospital, City and County of San Francisco.
(City Attorney)

8/12/2004, RECEIVED AND ASSIGNED to Rules Committee.

041207 [Settlement of Lawsuit - Leanna Mossi, et al.]

Ordinance authorizing settlement of the lawsuit filed by Leanna Mossi against the City and County of San Francisco for \$97,500; the lawsuit was filed on November 21, 2002 in San Francisco Superior Court, Case No. 414-929; entitled Leanna Mossi, et al., v. City and County of San Francisco, et al. (City Attorney)

8/14/2004, RECEIVED AND ASSIGNED to Rules Committee.

041203 [Settlement of Lawsuit - CCSF v ARCO, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against AGI, American Airlines, Avis, Budget, Continental, Delta, Dollar, Federal Express, Japan Airlines, U.S. Air, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal). (City Attorney)

8/23/2004, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be scheduled for consideration at the September 22, 2004 meeting.

041191 [Settlement of claim - CCSF v. WCB More II Limited Partnership, et al.]

Ordinance authorizing settlement of relocation benefits claim of California Bank & Trust Company by the payment of \$340,000, arising from litigation entitled City and County of San Francisco v. WCB More II Limited Partnership, et al., filed on September 10, 1998 as San Francisco Superior Court Case No. 997-764. (City Attorney)

8/31/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 10, 2004 through September 3, 2004, for reference by President to appropriate committee on September 14, 2004.

041204 [Contracting out Parking Meter Management System]

Resolution concurring with the Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees. (Municipal Transportation Agency)

8/19/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041205 [Grant to provide consultation to the Brazilian government regarding the "Brazil AIDS and STD Control Project"]

Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AO) to accept retroactively and expend a grant in the amount of \$15,800 from the World Bank (WB) to provide consultation to the Brazilian government regarding the "Brazil AIDS and STD Control Project" and to enter into an agreement, which contains an indemnification clause, for the use of these funds; for the period of April 1, 2004, to June 30, 2004. (Public Health Department)

8/24/2004, RECEIVED AND ASSIGNED to City Services Committee.

041208 [Contracting out Convention Facilities management, operation and maintenance services at Bill Graham Civic Auditorium and the Moscone Center]

Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees.

(Administrative Services Department)

8/24/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041223 [Acceptance of Donation of Real Estate]

Resolution authorizing the acceptance by the City and County of San Francisco of the donation of two lots from Rosario F. Occhipinti, a married man, and the Rosario F. Occhipinti Separate Property Trust dated August 15, 1989, (collectively "Occhipinti"), at no cost to the City, for the development of a playground, adopting findings that the conveyance is categorically exempt from Environmental Review, is consistent with the City's Eight Priority Policies of City Planning Code Section 101.1 and is in conformity with the City's General Plan; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.

(Real Estate Department)

8/30/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041232 [Accept- Expend State Loan for \$1,622,940 for a Solar Power Plant at Southeast Water Pollution Control Plant]

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a loan in the amount of approximately \$1,622,940 from the California Energy Commission to support the installation of energy efficiency measures and a 229 kilowatt solar electric system at the Southeast Water Pollution Control Plant (SEWPCP) 750 Phelps.

(Public Utilities Commission)

8/31/2004, RECEIVED AND ASSIGNED to City Services Committee.

041233 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Grove and Scott Streets, stopping Scott Street, making this T-intersection an All-Way STOP; Neptune Street and Thornton Avenue, stopping Thornton Avenue, making this intersection an All-Way STOP; and Olympia Way and Panorama Drive, stopping Olympia Way at Panorama Drive, making this T-intersection an All-Way STOP.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

9/1/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041234 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Webster Street, west side, between Broadway and Vallejo Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lyon Street, west side, from 16 feet south of Chestnut Street to 16 feet north of Chestnut Street (100-foot zone).

UNMETERED MOTORCYCLE PARKING - EXTEND
7th Street, west side, from 76 feet to 97 feet north of Townsend Street (accommodating an additional six unmetered motorcycle parking spaces).

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Lathrop Avenue, south side (400-600 blocks); and
Lathrop Avenue, north side, (600 block).

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Bayshore Boulevard, west side, from 220 feet to 310 feet south of Bacon Street (90-foot extension).

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, AND 1-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY, 7 AM TO 6 PM, SATURDAY, EXCEPT VEHICLES WITH CARPOOL PERMITS - RESCIND
4th Street, east side, from Folsom Street to 125 feet southerly (parking meters to remain).

TOW-AWAY, NO STOPPING MONDAY - FRIDAY, 7 AM TO 9 AM - RESCIND
Folsom Street, east side, from 12th to 14th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, east side, from 75 feet south to 112 feet north of 13th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Baker Street, east side, from Broadway to Pacific Avenue.

2 HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
PARKING METERS (METER RATE AREA NO.3), 2-HR TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
Harrison Street, both sides, between 6th and 7th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Dolores Street, east side, from Duncan Street to a point 19 feet southerly (accommodates three motorcycle parking spaces and aids visibility at the corner).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
13th Street, from 102 feet to 56 feet east of Folsom Street (46 feet).

1 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - RESCIND
2 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
12th Street, between Folsom and Harrison Streets; and
Folsom Street, between 11th and 13th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clarendon Avenue, north side, from Laguna Honda Boulevard to a point 100 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY

THROUGH SATURDAY) - ESTABLISH

Capp Street, both sides, between 26th and Mission Streets (1100 block). (excludes the thru-lot of 3330 Cesar Chavez Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Dolores and Chattanooga Streets (3700 block).

NO PARKING ANYTIME EXCEPT BICYCLES - ESTABLISH

Grove Street, north side, from 147 feet to 194 feet west of the Hyde Street crosswalk.

GREEN ZONE, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - RESCIND

GREEN ZONE, 8 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

18th Street, north side, from Diamond Street to 48 feet westerly (extended hours requires Board of Supervisor's approval).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mullen Drive, south side, from Peralta Avenue to Franconia Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME, EXCEPT ACTIVE LOADING - ESTABLISH

Bayshore Boulevard, west side, from 45 feet north of Sunnydale Avenue to 232 feet northerly (232-foot zone).

TWO-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Rhode Island Street, east side, between 15th and Alameda and Streets; and

15th Street, north side, between Rhode Island and De Haro Streets.

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Buchanan Street, east side, between Larch Way and Turk Street (1200 block, even addresses only).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 35 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 70 feet northerly.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

9/1/2004. RECEIVED AND ASSIGNED to Land Use Committee.

041235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY – RESCIND

Fowler Avenue at Teresita Boulevard, southbound.

BICYCLE LANES - ESTABLISH

Folsom Street, northbound, from 11th to 14th Streets.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

9/1/2004, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED MOTIONS

Proposed motions received from August 10, 2004 through September 3, 2004, for reference by President to appropriate committee on September 14, 2004.

041213 [Appointment, Board of Appeals]

Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008.

(Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041214.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041214 [Appointment, Board of Appeals]

Motion rejecting the Mayor's appointment of Frank Fung to the Board of Appeals.

(Mayor)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041215 [Appointment, Planning Commission]

Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041216.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041216 [Appointment, Planning Commission]

Motion rejecting the Mayor's appointment of Dwight Alexander to the Planning Commission.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041220 [Appointment, Planning Commission]

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2004.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041221 [Appointment, Planning Commission]

Motion rejecting the Mayor's appointment of Dr. Michael Antonini to the Planning Commission.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.

Transmittal date - (August 24, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041224 [Appointment, Human Services Commission]

Motion approving the Mayor's appointment of Michael DeNunzio to the Human Services Commission, for the term ending January 15, 2005.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to File 041225.

Transmittal date - (August 30, 2004.)

8/24/2004, RECEIVED AND ASSIGNED to Rules Committee.

041225 [Appointment, Human Services Commission]

Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041226 [Appointment, Public Utilities Commission]

Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041227, 041228.

Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041227 [Appointment, Public Utilities Commission]

Motion rejecting the Mayor's appointment of Ryan Brooks to the Public Utilities Commission.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.

Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041228 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for term ending January 15, 2008.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041229 [Appointment, Public Utilities Commission]

Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed;
companion measure to Files 041230, 041231.
Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041230 [Appointment, Public Utilities Commission]

Motion rejecting the Mayor's appointment of Richard Sklar to the Public Utilities Commission
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041231 [Appointment, Public Utilities Commission]

Motion taking no position concerning the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for term ending January 15, 2008.
(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)

8/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041094 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2004 election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2004 election.
(Elections Department)

9/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO



DOCUMENTS DEPT.

SEP 16 2004

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PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, September 21, 2004 2:00 PM

Regular meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Duffy, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsuprvr.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of August 17, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. 041082 **[Proposition J Contract - Security Guard Services; 1380 Howard Street]**
Resolution concurring with Controller's certification that security guard services at the Department of Parking and Traffic Citation and Hearing Offices located at 1380 Howard Street can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

2. 041104 **[Proposition J Contract – Parking Citation and Collection System Services]**
Resolution concurring with Controller's certification that processing parking citations and collecting parking citation revenue for the City can be practically performed by a private contractor at a lower cost than by City and County employees.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

3. 041090 [Conditionally Designate 938-942 Market, the Garfield Building, as a Landmark]
Supervisor Gonzalez
Ordinance Conditionally Designating 938-942 Market, the Garfield Building, as Landmark No. 244 pursuant to Article 1, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)
(Companion measure to File 041091.)

9/14/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

4. 041037 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
34th and Lawton Streets, stopping Lawton Street at 34th Avenue, making this intersection an All-Way STOP;
Grant Avenue and Vallejo Street, stopping Grant Avenue at Vallejo Street, making this intersection an All-Way STOP;
Mateo Street at Arlington Street stopping northbound and southbound Mateo Street at Arlington Street, making this intersection minor street STOP-controlled;
Cayuga and San Juan Avenues, stopping San Juan Avenue at Cayuga Avenue, making this intersection an all-way STOP; and
Grant Avenue and Green Street, stopping Grant Avenue at Green Street, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

Question: Shall this Resolution be ADOPTED?

5. 041038 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

12th Street, east side, from 119 feet to 140 feet south of Kissing Street (between the driveways of the parking garage).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

Broadway, both sides, from Taylor Street to 250 feet westerly (legislates existing conditions); Broadway, south side, from Taylor Street to Himmelman Place (legislates existing conditions); Green Street, north side, From Taylor Street to Mason Street (legislates existing conditions); and Jones Street, east side, from Green Street to Filbert Street (legislates existing conditions).

NO PARKING ANYTIME - RESCIND

Oak Street, north side, from Masonic Avenue to 200 feet westerly.

TOW-AWAY NO STOPPING, 3 PM TO 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

Oak Street, north side, from Masonic Avenue to 300 feet westerly.

TOW-AWAY NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND

Oak Street, north side, from Ashbury Street to 100 feet easterly.

ANGLE (45-DEGREE) PARKING - ESTABLISH

25th Avenue, east side, from Noriega Street to 90 feet northerly; and
25th Avenue, east side, from Noriega Street to 72 feet southerly.

ANGLE (60-DEGREE) PARKING - ESTABLISH

Noriega Street, south side, between 24th and 25th Avenues (replacing 45-degree parking).

NO PARKING 9 AM - 5 PM, EXCEPT SUNDAYS - RESCIND**NO PARKING 8 AM - 4 PM, EXCEPT SATURDAYS, SUNDAYS AND HOLIDAYS - ESTABLISH**

Staples Street, north side, between Phelan and Hazelwood Avenues.

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Florida Street both sides, between 22nd and 23rd Streets (1000 block); and
23rd Street, both sides, between Bryant and Florida Streets (2800 block).

NO PARKING 7 AM - 6 PM - RESCIND

Rolph Street, south side, from Mission Street to 100 feet easterly.

TOW-AWAY, NO STOPPING FROM 7 AM - 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH**TOW-AWAY, LANE MUST TURN RIGHT - ESTABLISH**

Irving Street, south side, from 19th Avenue to 64 feet westerly.

(Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

Question: Shall this Resolution be ADOPTED?

6. 041039 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH Hawes, Ingalls and Jennings Streets, southbound, onto westbound Ingerson Avenue.

NO LEFT TURNS AFTER CANDLESTICK PARK EVENTS EXCEPT TAXIS - ESTABLISH Griffith, Hawes, Redondo, Ingalls and Jennings Streets, northbound, onto westbound Ingerson Avenue.

(Parking and Traffic Department)

(7/15/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2849.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

7. 041113 [Settlement of Lawsuit - Constance Ong, et al.]
Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 041125 [Settlement of Claim - Gibson Group Trust]
Resolution approving settlement of the unlitigated claim of the Gibson Group Trust in an amount not to exceed \$67,000 for payment of past and future costs of responding to contamination at Gibson Environmental site; Bakersfield, California.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Alioto-Pier, Peskin

9. 041168 [Appointment - Childhood Nutrition and Physical Activity Task Force]
Resolution appointing Erik Rosegard, term ending December 12, 2004, to the Childhood Nutrition & Physical Nutrition Task Force.
Erik Rosegard, succeeding Manuel Jiminez, resigned, seat 5, must be a parent or guardian, for the unexpired portion of a one-year term ending December 12, 2004.

Question: Shall this Resolution be ADOPTED?

10. 041218 [Appointment - Library Citizens Advisory Committee]
Resolution appointing Douglas Ryan to the Library Citizens Advisory Committee, for a two-year term ending July 18, 2006.
Douglas Ryan, new appointment, seat 14, must be a member from the community at large, representative of youth and children who shall be between the ages of thirteen and twenty-three at the time of appointment, for a two-year term ending July 18, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Rules and Audits Committee

Present: Supervisors Maxwell, Alioto-Pier

11. **041112** **[Appointment - Assessment Appeals Board No. 2]**
Resolution appointing Margaret Ruxton, Mervin Conlan and Richard Lee for a three-year term ending September 3, 2007 as members to the Assessment Appeals Board No. 2.
Margaret Ruxton, succeeding Lawrence Lee, term expiring September 6, 2004, seat 2, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.
Mervin Conlan, succeeding himself, term expiring September 6, 2004, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.
Richard Lee, succeeding Donald Schmidt, term expiring September 6, 2004, seat 4, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: Certified Public Accountant (CPA) or Public Accountant (PA); licensed Real Estate Broker; Attorney; or a Property Appraiser accredited by a nationally recognized professional organization, or Property Appraiser certified by the Office of Real Estate Appraiser; or he or she is a current member of an assessment appeals board, for a three-year term ending September 3, 2007.

8/17/2004, CONTINUED. Continued to September 21, 2004

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

12. 031988 **[Interdepartmental Transfer - Block 2870, Lot 48]
Supervisors Dufty, Elsbernd**
Ordinance transferring jurisdiction of the real property identified as Assessor's Block 2870, Lot 48, from the Department of Public Works to the Recreation and Park Department; adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code, and requesting official actions in connection with this Ordinance.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
13. 041126 **[Setting San Francisco's fiscal year 2004-2005 property tax rate and establishing pass-through rate for residential tenants]**
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2005.
(Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
14. 041127 **[Setting S.F. Unified School District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2005.
(Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
15. 041128 **[Setting S.F. Community College District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]**
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2005.
(Controller)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
16. 041171 **[Appropriate funding to the ranked-choice voting community education and ethnic media outreach program for radio and print ads]
Supervisor Gonzalez**
Ordinance appropriating \$75,000 from the General Fund Reserve to implement the ranked-choice voting community education and ethnic media outreach plan for the Department of Elections for fiscal year 2004-05.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 041123 [Prevailing rate of wages for workers engaged in theatrical or technical services related to the presentation of a show on City-owned property]
Resolution fixing prevailing wage rates for workers engaged in theatrical or technical services (including but not limited to rigging, sound, projection, theatrical lighting, videos, computers, draping, carpentry, special effects, and motion picture services) for shows on property owned by the City and County of San Francisco.
(Civil Service Commission)

Question: Shall this Resolution be ADOPTED?

18. 041134 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]
Supervisor Elsbernd
Resolution authorizing the Director of Public Works to execute amendment to a design agreement for the Laguna Honda Hospital Replacement Program from \$31,533,540 to \$32,595,782.

Question: Shall this Resolution be ADOPTED?

19. 041165 [Conveyance of Property in San Mateo County]
Resolution authorizing a conveyance of property in the County of San Mateo; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings pursuant to the California Environmental Quality Act and ratifying acts and authorizing actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

20. 041174 [Appropriate bond proceeds for the demolition and other pre-construction activities for renovation and replacement of California Academy of Sciences facilities]
Supervisor McGoldrick
Ordinance appropriating \$8,075,000 of 2000 Academy of Sciences bond proceeds for capital improvement projects on CAS facilities in Golden Gate Park for Department of Recreation and Parks and the Department of Public Works for fiscal year 2004-05, placing \$8,075,000 on reserve.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 041176 [Bond Sale of California Academy of Sciences Improvement Bonds]
Supervisors McGoldrick, Elsbernd
Resolution authorizing and directing the sale of not to exceed \$8,075,000 General Obligation Bonds (California Academy of Sciences Improvement Bonds, 2000), Series 2004B; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

22. 040557 [Update of Traffic Code reference pertaining to taxicab stands]
Ordinance amending Section 39 of the San Francisco Traffic Code, updating Section referenced in the San Francisco Police Code pertaining to taxicab stands.
(Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
23. 040558 [Amending Police Code to extend commercial passenger-carrying vehicle restriction on Lyon Street north of Green Street]
Ordinance amending Section 1183.17 of the San Francisco Police Code, adding two blocks of Lyon Street to the existing passenger-carrying commercial vehicle restricted areas.
(Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 041035 [Amending San Francisco Traffic Code pertaining to speed limits on Market Street]
Ordinance amending Sections 176.14 and 175.32 of the San Francisco Traffic Code, modifying speed limits on portions of Market Street.
(Parking and Traffic Department)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 041076 [Approval of Port Lease Amendment and Restatement for Pier 23 Cafe, Inc.]
Supervisor Peskin
Resolution approving Lease Amendment and Restatement of Port Lease No. 12275 between the San Francisco Port Commission and Pier 23 Cafe, Inc., a California corporation, for the lease of real property commonly known as the Pier 23 Cafe.
- Question: Shall this Resolution be ADOPTED?
26. 041152 [Approval of Port Lease Amendment for Mama Franceschi's, L.P.]
Supervisor Peskin
Resolution approving Lease Amendment of Port Lease No. 8993 between the San Francisco Port Commission and Mama Franceschi's, L.P., for the lease of real property commonly known as Franceschi's Restaurant.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Peskin

27. 041172 [Reenacting a Disadvantaged Business Enterprise Program]
Emergency ordinance amending the San Francisco Administrative Code by adding Section 14A.03 to Chapter 14A to reenact a Disadvantaged Business Enterprise Program and suspend Chapter 12D.A, make applicable certain emergency contracting procedures, and provide for data collection to ensure nondiscrimination in City contracting; adopting declaration of emergency.
(Clerk of the Board)
- Question: Shall this Ordinance be FINALLY PASSED?
28. 040685 [Establishing and administering a Supplemental Tax Deferred Plan]
Supervisor Sandoval
Ordinance adding Sections 16.62 through 16.62-3 to the San Francisco Administrative Code.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
29. 041225 [Appointment, Human Services Commission]
Motion rejecting the Mayor's appointment of Michael DeNunzio to the Human Services Commission.
(Mayor)
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed.
Transmittal date - (August 30, 2004.)
- Question: Shall this Motion be APPROVED?
30. 041226 [Appointment, Public Utilities Commission]
Motion approving the Mayor's appointment of Ryan Brooks to the Public Utilities Commission, for the term ending January 15, 2008.
(Mayor)
Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed;
companion measure to Files 041227, 041228.
Transmittal date - (August 30, 2004.)

Question: Shall this Motion be APPROVED?

31. 041229 [Appointment, Public Utilities Commission]

Motion approving the Mayor's appointment of Richard Sklar to the Public Utilities Commission, for the term ending January 15, 2008.

(Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty-day period shall result in the appointee continuing to serve as appointed; companion measure to Files 041230, 041231.

Transmittal date - (August 30, 2004.)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M**Board of Supervisors Sitting as a Committee of the Whole**

32. 041080 [Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project]
Hearing to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

8/17/2004, CONTINUED. Continued to September 21, 2004

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

33. 041079 [Eminent Domain - Resolution of Necessity (80 Natoma)]
Supervisors Daly, Ammiano, Dufty
Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.
(Fiscal impact.)

8/17/2004, CONTINUED. Continued to September 21, 2004

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

34. 041209 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 3150 18th Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on June 30, 2004, approving a Final Mitigated Negative Declaration (Case No. 2003.1028E), adopted and issued on June 30, 2004, for the proposed demolition of a set of approximately 26,500-gross-square foot (gsf), two-story light industrial office and warehouse buildings with six off-street parking spaces and construction of a five-story building consisting of approximately 260 units of rental workshops for arts activities, light manufacturing, repair and small business services uses located at 3150 18th Street, on Assessor's Block 3573, Lots 2 and 12. (Appellant: Kellie Seringer.) (Appeal filed August 24, 2004 by Kellie Seringer; companion measure to Files 041210, 041211, 041212; District 9.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

35. 041210 **[Affirming adoption of the negative declaration for 3150 18th Street]**
Motion affirming Planning Commission adoption of the final negative declaration for 3150 18th Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
36. 041211 **[Reversing adoption of the negative declaration for 3150 18th Street]**
Motion reversing the Planning Commission adoption of the final negative declaration for 3150 18th Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
37. 041212 **[Preparation of findings to reverse adoption of the negative declaration for 3150 18th Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 3150 18th Street.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

38. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

39. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

40. 041268 [Legislative Analyst Request - Speed limits, Construction of bulb-outs on State Highways]
Supervisors Elsbernd, Alioto-Pier

Motion requesting the Legislative Analyst to investigate to what extent California law allows localities to determine speed limits, construct bulb-outs, etc. on state highways. Also compare California's policies with those of Oregon, where, for example, localities are given the authority to set speed limits on state highways.

Question: Shall this Motion be APPROVED?

41. 041274 [Legislative Analyst Request - Process for hiring workers]
Supervisor Ammiano

Motion requesting in-depth report of other municipalities' process for hiring workers.

Question: Shall this Motion be APPROVED?

CLOSED SESSION

42. 041248 [Closed Session - Existing Litigation, City as Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following claim and/or litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of San Francisco Administrative Code Chapter 12D.a., which sets forth the City's public contracting policies and practices and includes a grant of preferences to minority-owned business enterprises and women-owned enterprises, on the grounds that Chapter 12D.a of the Administrative Code violates Article 1, section 31, of the California Constitution.

CORAL CONSTRUCTION, INC. V. CITY AND COUNTY OF SAN FRANCISCO
San Francisco Superior Court No. 421-249; California Court of Appeal
No. A101027

The Closed Session is permitted by California Government Code Section 54956.9 (b) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending claim and/or litigation.

Action: _____

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 64

- 43. 041197 [Supporting card check neutrality agreements specifically between the Department of Human Services and contracts which have been competitively bid]**
Supervisors Sandoval, Gonzalez
Resolution supporting card check neutrality agreements for contracts with the Department of Human Services, the City and County of San Francisco.

8/17/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

9/14/2004, CONTINUED. Continued to September 21, 2004
Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

44. 041285 [Flu vaccine]
Supervisor Alioto-Pier
Resolution urging the Department of Public Health to post information on its website and to provide information to pediatric clinics to pass along to parents regarding the flu vaccine, including, but not limited to, the importance of immunization against the flu and the lack of scientifically conclusive evidence of harm resulting from exposure to thimerosal in flu vaccines and to urge Governor Arnold Schwarzenegger to sign AB2943, the Mercury-Free Vaccine Act of 2004.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 041286 [Honoring Volunteers in Medicine]
Supervisor Alioto-Pier
Resolution honoring Volunteers in Medicine for establishing free medical clinics for the working uninsured.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 041287 [Supporting the Bay Area Addiction Research and Treatment Clinic in San Francisco]
Supervisor Ammiano
Resolution encouraging Senator Dianne Feinstein to support the Bay Area Addiction Research and Treatment Clinic in San Francisco.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 041288 [Urging the Recreation and Park Department to extend the operating season at Mission Pool]
Supervisors Dufty, Ammiano, Maxwell, Ma
Resolution urging the Recreation and Park Department to extend the operating season at Mission Pool.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 041289 [Supporting the Homeless Veterans March in Washington for Housing Justice September 10 through November 2, 2004]
Supervisor Daly
Resolution supporting and endorsing the Homeless Veterans March in Washington D.C. for Housing Justice, September 10 through November 2, 2004.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

49. 041290 **[Approving request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2003-2004 Budget unexpended annual budget appropriations in the amount of approximately \$436,820]**
Supervisor Daly
Motion approving the request of the Clerk of the Board of Supervisors to carry forward from the Fiscal Year 2003-2004 Budget unexpended annual budget appropriations in the amount of approximately \$436,820 to provide funds for the first phase of costs associated with the legislative tracking system replacement.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
50. 041304 **[Urging the California Public Utilities Commission to conduct a public investigation into PG&E's estimating of customer bills]**
Supervisor Sandoval
Resolution urging the California Public Utilities Commission to open a public investigation into Pacific Gas & Electric Company's practice of estimating electric usage rather than reading the electric meter of each customer on a monthly basis to ensure that individual customers are not harmed by this practice.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
51. 041291 **[Commending Geoff Rothman]**
Supervisors Elsbernd, Dufty
Resolution commending Geoff Rothman for his outstanding accomplishments and dedicated public service throughout his thirty-five years of service with the City and County of San Francisco.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
52. 041292 **[San Francisco Unified School District General Obligation Bonds]**
Supervisors Elsbernd, Dufty
Resolution authorizing the San Francisco Unified School District to issue and sell on its own behalf its general obligation bonds approved by the voters at the November 2003 election without further action by this Board of Supervisors or any other officer of the City and County of San Francisco; ratifying certain actions previously taken; and granting general authority to City and County of San Francisco officials to take necessary actions in connection with the issuance of the general obligation bonds by the San Francisco Unified School District; and providing prior notice to the City and County of San Francisco for the anticipated sale and issuance of any future series of bonds.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

53. 041293 **[Implementation of Safety Improvements along the 19th Avenue Corridor]**
Supervisor Elsbernd
Resolution urging Caltrans to expedite the procurement of the construction contracts to ensure the implementation is completed by 2005.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 041294 **[Accept - Expend Federal Grant]**
Supervisor Elsbernd
Resolution authorizing the Mayor of the City and County of San Francisco to accept retroactively and expend a grant in the amount of \$472,763 from the U.S. Department of Justice, Bureau of Justice Assistance to reduce crime and increase public safety, under the FY 2004 Local Law Enforcement Block Grants Program.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 041295 **[Commending the 12th Annual Korean Day Festival 2004]**
Supervisors Ma, Dufty, Maxwell
Resolution commending the 12th Annual Korean Day Festival 2004.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
56. 041302 **[Endorsing Old Mint Grant Application]**
Supervisors Peskin, Dufty
Resolution endorsing the application to the California Cultural and Historical Endowment (CCHE) by the San Francisco Museum and Historical Society for CCHE Grant Funds for the project to preserve the historical Old Mint and create therein a San Francisco History Museum.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 041303 **[CalHome Application]**
Supervisor Peskin
Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

58. 041296 [Commending the 150th Anniversary of the Arrival of the Sisters of Mercy]
Supervisors Ma, Alioto-Pier, Dufty
Resolution commending the 150th Anniversary of the Arrival of the Sisters of Mercy in San Francisco.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
59. 041297 [Coastal Cleanup Day]
Supervisor Ma
Resolution declaring September 18, 2004 as "Coastal Cleanup Day" in the City and County of San Francisco.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 041298 [Commending the 25th Anniversary of The Women's Building]
Supervisors Ma, Dufty, Maxwell
Resolution commending the 25th Anniversary of The Women's Building.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
61. 041299 [Commending the Committee for the Confucius Memorial Ceremony]
Supervisor Ma
Resolution commending the Committee for the Confucius Memorial Ceremony for their dedication to recognizing the teachings of Confucius.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 041300 [Urging the California Attorney General Bill Lockyer to join several states in a lawsuit against HUD over pesticide use in public housing]
Supervisor Maxwell
Resolution urging the California Attorney General Bill Lockyer to join New York, Illinois, New Mexico, Wisconsin, and the US Virgin Islands in a lawsuit against HUD over pesticide use in public housing.
- 9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

63. 041301 [Commending Reverend William Swing]
Supervisor Peskin
Resolution commending Reverend William Swing for his 25 years of extraordinary service in the City and County of San Francisco.

9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

64. 041241 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/14/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 6, 2004 through September 13, 2004, for reference by President to appropriate committee on September 21, 2004.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 6, 2004 through September 13, 2004, for reference by President to appropriate committee on September 21, 2004.

041093 [Transferring Unclaimed Trust Deposits from Parking Citations to the General Fund]

Resolution accepting outstanding and unclaimed trust deposits from parking citations as revenue to be transferred to the General Fund.
(Parking and Traffic Department)

9/7/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041095 [County Refugee Plan]

Resolution approving the Federal Fiscal Year 2004 San Francisco County Refugee Plan.
(Private Industry Council)

9/10/2004, RECEIVED AND ASSIGNED to City Services Committee.

041096 [Gift - Private]

Resolution authorizing the Department of Public Health, San Francisco General Hospital to accept a gift of a mobile mammography facility vehicle and associated equipment, valued at \$432,716, donated by the University of California, San Francisco for mobile mammography services to indigent and under-served women in San Francisco.
(Public Health Department)

9/10/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

SEP 23 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, September 28, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
10:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation
- 2) Budget Analyst report
- 3) Legislative Analyst report
- 4) Department or Agency cover letter and/or report
- 5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041162 **[Improve pedestrian safety in San Francisco by coordinating citywide and targeted community-based safety campaigns]**
Supervisors Dufty, Elsbernd, Ma
Resolution authorizing the San Francisco Department of Public Health (SFPDPH) to accept and expend retroactively a grant in the amount of \$319,706 from the California Office of Traffic Safety (OTS) to improve pedestrian safety in San Francisco and to enter into an agreement for the use of these funds; for the period of October 1, 2004, to December 31, 2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. 041163 [Provide assertive case management to people with HIV and substance abuse and mental disorders, Year 2]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AIDS) to accept retroactively and expend second year grant funds in the amount of \$487,805 from the Substance Abuse and Mental Health Services Administration (SAMHSA) for assertive case management for triply-diagnosed people and to enter into an agreement for the use of these funds; for the period of June 1, 2004, to May 30, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 041164 [Grant to provide SSI grant application assistance to the chronically homeless and mentally ill in San Francisco]
Supervisors Daly, Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$195,320 from the Social Security Administration (SSA) to provide SSI application assistance to the chronically homeless and mentally ill in San Francisco and to enter into an agreement for the use of these funds; for the period of May 1, 2004, to April 30, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

4. 041205 [Grant to provide consultation to the Brazilian government regarding the "Brazil AIDS and STD Control Project"]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health, AIDS Office (SFDPH, AO) to accept retroactively and expend a grant in the amount of \$15,800 from the World Bank (WB) to provide consultation to the Brazilian government regarding the "Brazil AIDS and STD Control Project" and to enter into an agreement, which contains an indemnification clause, for the use of these funds; for the period of April 1, 2004, to June 30, 2004.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

5. 041171 [Appropriate funding to the ranked-choice voting community education and ethnic media outreach program for radio and print ads]
Supervisors Gonzalez, Daly
Ordinance appropriating \$75,000 from the General Fund Reserve to implement the ranked-choice voting community education and ethnic media outreach plan for the Department of Elections for fiscal year 2004-05.

9/21/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

6. 031988 [Interdepartmental Transfer - Block 2870, Lot 48]
Supervisors Dufty, Elsbernd
Ordinance transferring jurisdiction of the real property identified as Assessor's Block 2870, Lot 48, from the Department of Public Works to the Recreation and Park Department; adopting findings that the transfer is consistent with the General Plan and Section 101.1 of the Planning Code, and requesting official actions in connection with this Ordinance.
- 9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 041126 [Setting San Francisco's fiscal year 2004-2005 property tax rate and establishing pass-through rate for residential tenants]
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2005.
(Controller)
- 9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
8. 041127 [Setting S.F. Unified School District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]
Ordinance providing revenue and levying property taxes for San Francisco Unified School District's purposes for the fiscal year ending June 30, 2005.
(Controller)
- 9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
9. 041128 [Setting S.F. Community College District's fiscal year 2004-2005 property tax rate to be included in the City's overall property tax rate]
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2005.
(Controller)
- 9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
10. 041174 [Appropriate bond proceeds for the demolition and other pre-construction activities for renovation and replacement of California Academy of Sciences facilities]
Supervisor McGoldrick
Ordinance appropriating \$8,075,000 of 2000 Academy of Sciences bond proceeds for capital improvement projects on CAS facilities in Golden Gate Park for Department of Recreation and Parks and the Department of Public Works for fiscal year 2004-05, placing \$8,075,000 on reserve.
(Fiscal impact.)
- 9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 041204 [Contracting out Parking Meter Management System]
Resolution concurring with the Controller's certification that parking meter management services, including collection and coin counting can be practically performed by a private contractor at a lower cost than by City and County employees.
(Municipal Transportation Agency)

Question: Shall this Resolution be ADOPTED?

12. 041208 [Contracting out Convention Facilities management, operation and maintenance services at Bill Graham Civic Auditorium and the Moscone Center]
Resolution concurring with the Controller's certification that Convention Facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and the Moscone Center by private contractor for a lower cost than similar work services performed by City and County employees.
(Administrative Services Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

13. 040557 [Update of Traffic Code reference pertaining to taxicab stands]
Ordinance amending Section 39 of the San Francisco Traffic Code, updating Section referenced in the San Francisco Police Code pertaining to taxicab stands.
(Parking and Traffic Department)

9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
14. 040558 [Amending Police Code to extend commercial passenger-carrying vehicle restriction on Lyon Street north of Green Street]
Ordinance amending Section 1183.17 of the San Francisco Police Code, adding two blocks of Lyon Street to the existing passenger-carrying commercial vehicle restricted areas.
(Parking and Traffic Department)

9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 041035 [Amending San Francisco Traffic Code pertaining to speed limits on Market Street]
Ordinance amending Sections 176.14 and 175.32 of the San Francisco Traffic Code, modifying speed limits on portions of Market Street.
(Parking and Traffic Department)

9/21/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

16. 041113 [Settlement of Lawsuit - Constance Ong, et al.]

Ordinance authorizing settlement of the lawsuit filed by Constance Ong against the City and County of San Francisco for \$500,000; the lawsuit was filed on May 16, 2003 in San Francisco Superior Court, Case No. 420-576; entitled Constance Ong, et al., v. City and County of San Francisco, et al. (City Attorney)

9/21/2004, PASSED, ON FIRST READING

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

17. 040365 [Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use and add notice and review procedures for changes of use to a formula retail use] Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval
- Ordinance amending Planning Code Section 312 to delete the requirement that changes of use per the use categories of Article 7, and changes in use to a retail coffee stores, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries uses, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312; to add the requirement that changes of use to a formula retail use be subject to the notification and review procedures of Section 312; to add the requirement that building permit applications for a change of use to a bar, liquor store, walkup facility, full-service restaurant, large fast food restaurant, small self-service restaurant, massage establishment, outdoor activity, or adult or other entertainment use be subject to the notification and review procedures of Section 312; to add the requirement that the Planning Department make available and update every six months its list of neighborhood organizations with interests in specific properties or areas; to provide that where a neighborhood organization that is required to receive project notification is not sent such notice the proposed project must be re-noticed; and to make findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

8/17/2004, CONTINUED. Continued to September 28, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Peskin

18. 040685 [Establishing and administering a Supplemental Tax Deferred Plan] Supervisor Sandoval
- Ordinance amending the San Francisco Administrative Code by adding Sections 16.62 through 16.62-3 requiring that certain lump sum payments be transferred to a Supplemental Tax Deferred Plan.

9/21/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

9/21/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

19. 041043 **[Liquor License Transfer, Pier 39, Space J02]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 1255 22nd Street to Pier 39, Space J02 (District 3) to Monika D. Steiner for Wines of California will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?
20. 041059 **[Liquor License Transfer, 52-60 Sixth Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 60 Sixth Street to 52-60 Sixth Street (District 6) to Angel Cruz for Six Inc., dba Club Six, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
- Question: Shall this Resolution be ADOPTED?
21. 041232 **[Accept- Expend State Loan for \$1,622,940 for a Solar Power Plant at Southeast Water Pollution Control Plant]**
Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a loan in the amount of approximately \$1,622,940 from the California Energy Commission to support the installation of energy efficiency measures and a 229 kilowatt solar electric system at the Southeast Water Pollution Control Plant (SEWPCP) 750 Phelps.
(Public Utilities Commission)
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

22. 041175 [Open Space Fund Financing]**Supervisor McGoldrick**

Ordinance approving the issuance and sale of lease revenue bonds payable from the Park, Recreation and Open Space Fund to finance various park projects as further described herein; approving the form of a Site Lease by and between the City and County of San Francisco Finance Corporation (the "Corporation") and the City and County of San Francisco (the "City") relating to certain City-owned properties located in the City (as further described herein); approving the form of a Master Lease by and between the Corporation and the City; approving the form of a Master Trust Agreement by and between the Corporation and a trustee (including certain indemnities contained therein); authorizing the selection of a trustee; approving the form of an Assignment Agreement by and between the Corporation and a trustee; approving the form of an official notice of sale and a notice of intention to sell the lease revenue bonds; directing the publication of the notice of intention to sell the lease revenue bonds; approving the form of an official statement in preliminary and final form; approving the form of a continuing disclosure certificate; authorizing the payment of cost of issuance; authorizing reimbursement of certain expenditures; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and ratifying previous actions taken in connection therewith.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 041177 [Bond Sale of Neighborhood Recreation and Park Facilities Improvement Bonds]**Supervisors McGoldrick, Elsbernd**

Resolution authorizing and directing the sale of not to exceed \$68,800,000 General Obligation Bonds (Neighborhood Recreation and Park Facilities Improvement Bonds, 2000), Series 2004A; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

24. 041166 [Estate of Doris Campos]

Resolution accepting the bequest of Doris Campos on behalf of needy senior residents of San Francisco and designating the Department of Aging and Adult Services as the department to manage the distribution of the estate.

(Adult and Aging Services)

Question: Shall this Resolution be ADOPTED?

25. 040226 [Sale of Surplus Property at 107 24th Avenue]

Resolution authorizing the sale of surplus City-owned real property located at 107 24th Avenue (Block 1334, Lot 1); adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to proceed with its sale at public auction.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

26. 041080 [Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project]
Hearing to consider (1) adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; (2) adopting findings under the General Plan and City Planning Code Section 101.1; and (3) adopting a resolution of necessity for the City's proposed acquisition by eminent domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 (80 Natoma), in San Francisco.

8/17/2004, CONTINUED. Continued to September 21, 2004

9/21/2004, CONTINUED. Continued to September 28, 2004

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

27. 041079 [Eminent Domain - Resolution of Necessity (80 Natoma)]
Supervisors Daly, Ammiano, Dufty
Resolution authorizing acquisition of Lots 45A, 46, 53, and 54 in Assessor's Block 3721 in San Francisco by Eminent Domain for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project; adopting environmental findings under the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31; and adopting findings under the General Plan and City Planning Code Section 101.1.
(Fiscal impact.)

8/17/2004, CONTINUED. Continued to September 21, 2004

9/21/2004, CONTINUED. Continued to September 28, 2004

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

28. 041199 [Public Hearing - Appeal of Categorical Exemption - 2404 Broadway Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2004, Case No. 2004.0406E, approving the proposed project to vertically and horizontally expand an existing three-story-over-basement Colonial Revival house located at 2404 Broadway Street, Assessor's Block 562, Lot 4. (Appellants: Suzanne and Francoise Antounian, represented by their attorneys, G. Scott Emblidge and Rebecca Bedwell-Coll of Moscone, Emblidge & Quadra, LLP.) (Filed August 18, 2004; companion measure to Files 041200, 041201, 041202; District 3.)

9/14/2004, CONTINUED. Continued to September 28, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**29. 041200 [Affirming the categorical exemption issued for 2404 Broadway Street]**

Motion affirming the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

9/14/2004, CONTINUED. Continued to September 28, 2004

Question: Shall this Motion be APPROVED?

30. 041201 [Disapproving the categorical exemption issued for 2404 Broadway Street]
Motion disapproving the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

9/14/2004, CONTINUED. Continued to September 28, 2004

Question: Shall this Motion be APPROVED?

31. 041202 [Preparation of findings related to the categorical exemption issued for 2404 Broadway Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California environmental Quality Act.
(Clerk of the Board)

9/14/2004, CONTINUED. Continued to September 28, 2004

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, September 22, 2004 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, September 28, 2004.

32. 041094 [Waiver Permitting City Employees to Assist the Department of Elections with the November 2, 2004 election]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 2, 2004 election.
(Elections Department)

Question: Shall this Motion be APPROVED?

33. 041203 [Settlement of Lawsuit - CCSF v ARCO, et al.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against AGI, American Airlines, Avis, Budget, Continental, Delta, Dollar, Federal Express, Japan Airlines, U.S. Air, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Rules Committee at a Rescheduled Meeting on Monday, September 27, 2004 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 28, 2004.

34. 041190 [Reauthorization and Expansion of the First Source Hiring Program]
Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending sections 83.3, 83.4, 83.5, 83.6, 83.7, 83.9, 83.11, and by adding section 83.12A to: (1) expand the scope of the ordinance to apply to any work performed in the City by City contractors; (2) expand the definition of contract to include sole source contracts and contracts, loans and grants awarded by the City in excess of \$50,000; (3) include residential projects, as defined herein, to be subject to first source hiring requirements; (4) expand the definition of "commercial activity," as defined herein; (5) increase the First Source Hiring Administration's reporting requirements to the Mayor and the Board of Supervisors regarding the progress of the first source hiring program; (6) delete the requirement that the Purchaser shall determine the applicability of the first source hiring requirements to certain service contracts; (7) require developers to obtain a first source hiring agreement or an exemption before the Planning Commission may approve development projects or other City departments may issue permits subject to first source requirements; (8) impose a fee schedule on covered entities; and (9) extend the operative date to January 1, 2009.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

36. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 37 through 49

37. 041319 [Sewer Service Utility Contract]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Public Utilities Commission General Manager to execute the First Amendment to the Sewer Service Utility Contract (No. 1443CX061094018) with The Presidio Trust for the purpose of extending the existing contract term by twelve (12) months through September 30, 2005.

9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
38. 041320 [Expressing support for Bringing America Home Act (H.R. 2897)]
Supervisor Daly
Resolution urging the Congressional delegation representing San Francisco to support the passage of the Bringing America Home Act (H.R. 2897), a comprehensive bill to end homelessness that addresses issues of affordable housing, livable income, civil rights protections, and health care for all.

9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
39. 041321 [Approving hiring of displaced federal firefighters]
Supervisor Dufty
Resolution approving the hiring of federal firefighters displaced by the closure of the Navy's fire station at Hunter's Point Shipyard, pursuant to the authority granted by California Government Code Section 53270.

9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
40. 041322 [Commending Mildred Crear]
Supervisors Dufty, Maxwell
Resolution commending Mildred Crear, the Director of Maternal and Child Health, for her 41 years of inspirational leadership at the Department of Public Health.

9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

41. 041323 [Honoring the San Francisco Mime Troupe]
Supervisors Dufty, Ammiano
Resolution honoring the San Francisco Mime Troupe for its 45 years of service.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 041325 [Honoring Denise M. Brady]
Supervisor Dufty
Resolution honoring Denise M. Brady on the occasion of her retirement.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 041326 [Honoring Jim Tate]
Supervisor Dufty
Resolution honoring Jim Tate for his years of service and his deep compassion for those in need.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 041327 [State funds for construction and renovation of branch libraries]
Supervisors Elsbernd, Ma, Maxwell, McGoldrick, Sandoval, Alioto-Pier
Resolution urging the California Public Library Construction and Renovation Board to award five grants totaling over \$22 million from Proposition 14 funds for the construction of new Ingleside, Ortega, Portola, and Visitacion Valley branch libraries and the renovation of the Richmond branch library.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 041328 [Walk to School Day]
Supervisor Ma
Resolution declaring October 6, 2004 as "Walk Our Children to School Day" in the City and County of San Francisco.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
46. 041329 [Commending San Francisco Community Power]
Supervisor Maxwell
Resolution commending San Francisco Community Power for its dedication and commitment to promoting renewable energy, conservation, and demand-response programs in San Francisco's southeast neighborhoods and proclaiming October 5, 2004 as San Francisco Community Power Day.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

47. 041330 [Urging State Regulatory Action]
Supervisor Peskin
Resolution endorsing On-Bill Financing as a cost effective means for small business owners to finance energy efficiency upgrades, and urging the California Public Utilities Commission to take appropriate action to facilitate creation of an On-Bill Financing program in California.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 041331 [Del Monte Square]
Supervisor Peskin
Resolution declaring September 28, 2004 Del Monte Square Day in San Francisco.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 041332 [Commending SEIU 250 on its 70th anniversary and its growth to 100,000 members]
Supervisor Sandoval
Resolution commending the Service Employees International Union Local 250 on its 70th anniversary and its growth to 100,000 members.
- 9/21/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

50. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 14, 2004 to September 21, 2004, for reference by President to appropriate committee on September 28, 2004.

041244 [Settlement of Lawsuit - Alema Hoskins, et al.]

Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/20/2004, RECEIVED AND ASSIGNED to Rules Committee.

041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]

Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

9/20/2004, RECEIVED AND ASSIGNED to Rules Committee.

041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City.
(City Attorney)

9/20/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 14, 2004 to September 21, 2004, for reference by President to appropriate committee on September 28, 2004.

041098 [Accept-Expend Federal Grant]

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$339,964 from the United States Department of Justice, Violence Against Women Office for Safe Havens.
(Department of Children, Youth & Their Families)

9/14/2004, RECEIVED AND ASSIGNED to City Services Committee.

041099 [Street Artist Winter Holiday Spaces]

Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2004, beginning on November 15, 2004 and ending on January 15, 2005.
(Arts Commission)

9/14/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041169 [Municipal Railway Professional Services Contract CS-123, Amendment No. 7]

Resolution authorizing the Director of Transportation to execute Amendment No. 7 to San Francisco Municipal Railway Contract No. CS-123, Professional Design and Construction Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, for extra design work and additional construction support services, for an amount not to exceed \$1,500,000, and a total contract amount not to exceed \$11,481,206, and to extend the contract for one year.
(Municipal Transportation Agency)

9/17/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.



City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice

Transmitted 10-04-2004

A public hearing will be held on 10/19/04 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**041275 Public Hearing - Appeal of Revised Certificate of Determination of Exemption
from Environmental Review - American Buddhist Cultural Society Building
located at 1730-1750 Van Ness Avenue**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019 (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

Gloria L. Young, Clerk of the Board

NOTE:

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DOCUMENTS DEPT.

OCT - 5 2004

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BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

OCT 15 2004

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10-15 04AUG 14 REVD

**Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 19, 2004 2:00 PM**

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsuprvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Meeting Minutes of September 21, 2004 and September 28, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041098 [Accept-Expend Federal Grant]
 Supervisors Ma, Dufty

Resolution authorizing the Department of Children, Youth and Their Families to accept and expend a grant in the amount of \$339,964 from the United States Department of Justice, Violence Against Women Office for Safe Havens.
(Department of Children, Youth & Their Families)

Question: Shall this Resolution be ADOPTED?

2. 041337 [Accept-Expend Federal/State Pass Through Grant]**Supervisor Dufty**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$4,257 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.
(Public Library)

Question: Shall this Resolution be ADOPTED?

3. 041236 [Liquor License, 580 Sutter Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license from One Sansome Street to 580 Sutter Street (District 6) to Clint Worden for Plan B. Bar Inc. will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

4. 041246 [Approval to Negotiate Prices for Construction Trade Packages for the Laguna Honda Hospital Replacement Program]**Supervisors Elsbernd, Ammiano**

Ordinance authorizing the Department of Public Works to negotiate prices for trade packages for the construction of the Laguna Honda Hospital Replacement Program.
(Fiscal impact.)

10/5/2004, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

5. 040365 [Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use and add notice and review procedures for changes of use to a formula retail use] Supervisors Gonzalez, Peskin, Maxwell, Dufty, Sandoval, Daly
- Ordinance amending Planning Code Section 312 to remove notice and review procedures for changes of use; add notice and review procedures for changes of use to a formula retail use, to require that changes of use to bars, liquor stores, walkup facilities, other large institutions, other small institutions, restaurants, massage establishments, outdoor activities, or adult or other entertainment uses be subject to the notification and review procedures of Section 312, receive review for compliance with Neighborhood Commercial Design Guidelines and on-site noticing for 15 days, and to require that the Planning Department update and make available its list of neighborhood organizations with interests in specific properties or areas, and to provide that if a neighborhood organization required to receive project notification is not sent notice the proposed project must be re-noticed.

8/17/2004, CONTINUED. Continued to September 28, 2004

9/28/2004, AMENDED. AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved an amendment of the whole bearing new title.

9/28/2004, CONTINUED AS AMENDED ON FIRST READING. Continued to October 5, 2004

Supervisor Daly requested to be added as a co-sponsor.

10/5/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier

6. 041191 [Settlement of Claim - CCSF v. WCB More II Limited Partnership, et al.]
- Ordinance authorizing settlement of relocation benefits claim of California Bank & Trust Company by the payment of \$340,000, arising from litigation entitled City and County of San Francisco v. WCB More II Limited Partnership, et al., filed on September 10, 1998 as San Francisco Superior Court Case No. 997-764.
- (City Attorney)
- 10/5/2004, PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?
7. 041206 [Settlement of Lawsuit - Yvette Castillo]
- Ordinance authorizing settlement of the lawsuit filed by Yvette Castillo against San Francisco General Hospital and the City and County of San Francisco for \$96,400; the lawsuit was filed on April 30, 2003 in San Francisco Superior Court, Case No. 416346 entitled Yvette Castillo v. San Francisco General Hospital, City and County of San Francisco.
- (City Attorney)
- 10/5/2004, PASSED, ON FIRST READING.
- Question: Shall this Ordinance be FINALLY PASSED?

8. 041207 [Settlement of Lawsuit - Leanna Mossi, et al.]

Ordinance authorizing settlement of the lawsuit filed by Leanna Mossi against the City and County of San Francisco for \$97,500; the lawsuit was filed on November 21, 2002 in San Francisco Superior Court, Case No. 414-929; entitled Leanna Mossi, et al., v. City and County of San Francisco, et al. (City Attorney)

10/5/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

9. 041282 [Settlement of Unlitigated Claim - National Airlines]

Mayor

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission (the "Airport"), against National Airlines ("National") by approving a Settlement Agreement pursuant to which National will pay to the Airport \$12,374.23.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

11. 041173 [Funding from bond proceed sales of General Obligation and Lease Revenue bonds for improvement and construction of open space/ neighborhood park projects and to re-appropriate prior year Open Space project funding to active current fiscal year projects] Supervisors McGoldrick, Elsbernd
- Ordinance appropriating \$68,800,000 of bond sale proceeds from General Obligation Bonds to fund the improvement and construction of parks and open space (as part of Proposition A) appropriating \$27,005,000 of bond sales proceeds from Lease Revenue Bonds to fund at least 11 neighborhood park improvement projects and various additional projects; and re-appropriating \$2,783,973 of prior year Open Space project funding to various active capital improvement projects in current fiscal year 2004-05 for a total amount of \$98,588,973; and releasing \$2,000,000 in reserve, funded through Revenue Bonds, for capital projects; and placing the amounts of \$68,800,000, \$27,005,000, \$191,700 and \$3,273,272 on reserve.
- (Fiscal impact.)

10/5/2004, CONTINUED. Continued to October 19, 2004

Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

12. 041215 [Appointment - Planning Commission]
- Motion approving the Mayor's appointment of Dwight Alexander to the Planning Commission term ending July 1, 2008.
- (Mayor)
- (Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041216.)
- Transmittal date - August 24, 2004.

10/5/2004, CONTINUED. Continued October 19, 2004

Question: Shall this Motion be APPROVED?

From the Rules Committee Without Recommendation

Present: Supervisors Maxwell, Alioto-Pier

13. 041220 [Appointment - Planning Commission]

Motion approving the Mayor's appointment of Dr. Michael Antonini to the Planning Commission term ending July 1, 2008.

(Mayor)

(Section 4.105 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041221.)

Transmittal date - August 24, 2004.

10/5/2004, CONTINUED. Continued to October 19, 2004

Question: Shall this Motion be APPROVED?

NEW BUSINESS

Recommendations of the City Services Committee

Present. Supervisors Duffy, Ma, Elsbernd

14. 031932 [Restricting the sale or transfer of 50 caliber firearms and ammunition, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms]
Supervisors Gonzalez, Duffy
Ordinance amending the Police Code by deleting Sections 552, 556 and 557, relating to possession of firearms by minors and possession of facsimile firearms in order to conform to state law, amending Section 602 to delete redundant provisions and provisions relating to air guns in order to conform to state law; amending Sections 613.1, 613.10 and 613.10-1 to delete requirements relating to "Saturday Night Specials," restrictions on the sale of large capacity magazines and various other requirements relating to firearms dealers in order to conform to state law and add new requirements in Section 613.10-1 to restrict the sale or transfer of 50 caliber firearms and ammunition; amending Sections 613.2 and 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license and such applicants' employees; amending Sections 613, 613.10-3, 613.12, 613.16, 613.19, 617 and 618 to make technical and conforming corrections; amending Section 613.10-2, restricting the sale of ultracompact firearms to update findings and exceptions to restrictions on sales, deleting Sections 614 through 616, relating to reporting of firearms sales by dealers in order to conform to state law, renumbering existing Sections 617 and 618 as Sections 614 and 615; and adding a new Section 616, requiring owners of firearms to report the loss or theft of a firearm to the Police Department.
- 7/13/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.
9/21/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**
15. 041148 [Dance and Place of Entertainment Permits-security requirements, increased penalty for violation]
Supervisors Maxwell, Duffy, Alioto-Pier, Ma
Ordinance amending San Francisco Police Code Sec. 1022 to define "security plan"; amending Police Code Sec. 1023 to require applicants for dance permits to have a security plan, and to require owners or managers of places that are rented to persons planning to use the facility for a dance to inform such persons that a permit is required for such activity; amending Police Code Sec. 1027 to make the violation of Secs. 1023 through 1026 an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; amending Police Code Sec. 1060 to define "security plan"; amending Police Code Sec. 1060.5 to revise determination of application criteria to require a security plan; amending Police Code Sec. 1060.25 to increase the maximum penalty for violation of Article 15.1 to an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; adding Police Code Sec. 1060.29 to require one night event permits for one night events; and amending Police Code Sec. 2.26 to include one night events under the schedule of permits and filing fees.
- Question: Shall this Ordinance be PASSED ON FIRST READING?**

16. 041150 [Revising graffiti clean-up requirements for property owners and revising enforcement and abatement procedures where property owners fail to remove graffiti]
Supervisors Elsbernd, Dufty, Ma, Alioto-Pier
Ordinance amending Article 23 of the San Francisco Public Works Code by (1) amending Sections 1301 through 1304, deleting existing Section 1305, amending and retaining part of existing Section 1306 as renumbered Section 1305, and amending and placing part of existing Section 1306 in new Section 1306, to require that property owners either remove graffiti from their property or request a hearing within 30 days of receiving a notice of violation, clarify and streamline review procedures for graffiti violations, and authorize special assessments to recover graffiti removal costs; and (2) making technical corrections to Sections 1307 and 1308.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 041178 [Declaring blighted vacant lots to be a nuisance and authorizing DPW to abate such nuisances at the owners' expense following notice and opportunity for hearing]
Supervisors Elsbernd, Dufty, Ma
Ordinance amending Article 15 of the Public Works Code by adding Sections 735 through 735.4 to declare blighted vacant lots a public nuisance, require owners to abate such nuisances and authorize DPW to abate such nuisances at the owners' expense following written notice from DPW and the opportunity for a hearing.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

18. 041245 [To substitute funds in General Fund for parking tax revenue currently appropriated to programs for Senior Citizens]
Mayor, Supervisors Ma, Dufty, Elsbernd, Ammiano, Alioto-Pier, Peskin, Maxwell
Ordinance substituting \$10,710,000 of parking tax revenue currently appropriated to programs for senior citizens with \$10,710,000 of General Fund for fiscal year 2004-05, as part of the September 9, 2004 state Court of Appeals ruling in the case City & County of San Francisco vs. Flying Dutchman Park, Inc.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 041309 [Public Employment - DPH, OES, Fire, Police, Sheriff, and Port]
Supervisor Ma
Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) to reflect the creation of forty-two positions and the deletion of six positions in the following departments: Public Health, Office of Emergency Services, Fire, Police, Sheriff, and Port.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 041313 [Payment of Reward - Jane Doe]
Mayor
Ordinance authorizing payment of a \$12,500.00 reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrators who murdered Shayne Worcester.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
21. 041314 [Payment of Reward to three John Does]
Mayor
Ordinance authorizing payment of a \$10,000.00 reward to be split amongst three John Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Parrish Wingard.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
22. 041319 [Sewer Service Utility Contract]
Supervisor Alioto-Pier
Resolution authorizing the San Francisco Public Utilities Commission General Manager to execute the First Amendment to the Sewer Service Utility Contract (No. 1443CX061094018) with The Presidio Trust for the purpose of extending the existing contract term by six (6) months through March 30, 2005.
(Fiscal impact.)
- 9/28/2004, REFERRED to Finance and Audits Committee. Supervisor Daly requested that this matter be referred to Committee.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

23. 040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]
Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez, Alioto-Pier
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040989 **[Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]**
Supervisors McGoldrick, Alioto-Pier, Daly
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 041213 **[Appointment - Board of Appeals]**
Motion approving the Mayor's appointment of Frank Fung to the Board of Appeals for the term ending July 1, 2008.
(Mayor)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 041214.)
Transmittal date - August 24, 2004.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm

26. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

27. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

32. 041403 [Legislative Analyst Request - Public Defibrillators and Public Siting]
Supervisor Daly
Motion requesting an examination of the City's current policy on siting defibrillators in public buildings and an analysis of what other cities have done on this topic.

Question: Shall this Motion be APPROVED?
33. 041404 [Legislative Analyst Request - Limited Equity Conversion (File No. 032031)]
Supervisor Daly
Motion requesting the Legislative Analyst to analyze the impact of the entire legislation on the City's rental housing stock, vacancy rate, and low and high income renters. The Legislative Analyst is requested to have the report ready by November 10, 2004.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 34 through 54

34. 041405 [Binational Health Week]
Supervisor Ammiano
Resolution declaring October 11 to 18, 2004 as Binational Health Week and urges the people of San Francisco County to join the people of Mexico and all Californians of Mexican origin in observing and participating Binational Health Week.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?
35. 041406 [Family Economic Self Sufficiency]
Supervisor Ammiano
Resolution adopting "Family Economic Self Sufficiency" as a goal toward which the City and County will strive to achieve and will make concerted efforts to move families out of poverty towards economic self-sufficiency through legislation initiative, budgetary planning decisions and executive policy directives.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

10/7/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

Question: Shall this Resolution be ADOPTED?

- 36. 041407 [Supporting the Emergency Medical Care Initiative]**
Supervisors Ammiano, Maxwell, McGoldrick, Dufty, Alioto-Pier, Daly
Resolution supporting the passage of Proposition 67, the Emergency Medical Care Initiative on the 2004 November ballot.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 37. 041408 [Rejecting the issuance of a conditional waiver to San Francisco Cycling, LLC]**
Supervisor Daly
Resolution rejecting the conditional waiver for the cost of police services provided to San Francisco Cycling, LLC for the 2004 T-Mobile International Bike Race and for the upcoming 2005, 2006 and 2007 T-Mobile International Bike Race.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 38. 041409 [Honoring the Jewish Community Relations Council]**
Supervisors Dufty, Peskin, Ma, Alioto-Pier
Resolution honoring the Jewish Community Relations Council.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 39. 041410 [Commending Debra Lehane]**
Supervisor Dufty
Resolution commending Debra Lehane on the occasion of her retirement.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 40. 041411 [Supporting applications for the State funding of the Museum of the African Diaspora]**
Supervisors Dufty, Maxwell, Ma, Alioto-Pier
Resolution urging support for the Museum of the African Diaspora by the California Cultural and Historical Endowment.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 41. 041412 [Commending the Golden Gate Business Association]**
Supervisors Dufty, Ammiano
Resolution commending the Golden Gate Business Association, on the occasion of their 30th anniversary.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

42. 041413 [Recognizing October 26, 2004 as the first annual Intersex Awareness Day]
Supervisors Dufty, Ammiano
Resolution recognizing October 26, 2004 as the first annual Intersex Awareness Day.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
43. 041414 [Supporting the California Cultural and Historical Endowment grant applications of the Recreation and Park Department]
Supervisors Elsbernd, Dufty
Resolution supporting the California Cultural and Historical Endowment grant applications to the California State Library Department in order to provide for funding for Sunnyside Conservatory Renovation, Harvey Milk Performing Arts Center, 24th and York Mini Park.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING
- Question: Shall this Resolution be ADOPTED?
44. 041415 [Commending Shirley Wysinger]
Supervisor Gonzalez
Resolution expressing appreciation to Shirley R. Wysinger for 30 years of dedicated public service on the occasion of her retirement from the Redevelopment Agency of the City and County of San Francisco.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
45. 041416 [Angel Island Immigration Station Restoration and Preservation Act]
Supervisors Ma, Maxwell, Dufty, Alioto-Pier
Resolution urging the San Francisco Congressional delegation to support the Angel Island Immigration Station Restoration and Preservation Act.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 041417 [Breast Cancer Awareness Month]
Supervisors Ma, Maxwell, Alioto-Pier, Dufty
Resolution declaring October 2004 to be "Breast Cancer Awareness Month" in the City and County of San Francisco.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

- 47. 041418 [San Francisco African American Historical & Cultural Society]**
Supervisor Maxwell
Resolution recognizing and commending the San Francisco African American Historical & Cultural Society for their dedication and commitment to contributing to the development and growth of San Francisco's African American community.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
- 48. 041419 [Honoring Raoul Wallenberg]**
Supervisors Peskin, Dufty
Resolution proclaiming Raoul Wallenberg to be an honorary citizen of the City and County of San Francisco.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
- 49. 041420 [Fair Labor Contract]**
Supervisors Peskin, Sandoval, McGoldrick, Gonzalez, Maxwell, Daly, Ammiano, Alioto-Pier, Ma, Elsbernd, Dufty
Resolution urging residential building employers to negotiate a fair contract that enables residential workers to meet the rising cost of living and maintains their access to affordable health care for themselves and their families.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
- 50. 041421 [Supporting Bringing America Home Act (H.R. 2897)]**
Supervisor Peskin
Resolution supporting the Bringing America Home Act (H.R. 2897), currently pending in the 108th Congress, and urging its passage by the United States Congress.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
- 51. 041422 [Commending Deputy City Attorney David Fernando Campos Miyares]**
Supervisor Peskin
Resolution commending David Fernando Campos Miyares for more than five years of exemplary public service to San Francisco as a Deputy City Attorney on the Litigation Team, the Government Team and the Energy and Telecommunications Team of the City Attorney's Office, and wishing him well in his future endeavors as General Counsel for the San Francisco Unified School District.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

52. 041423 [Gift Acceptance]**Mayor**

Resolution accepting a gift in the amount of \$25,000 from breretonArchitects, Inc. and authorizing its expenditure to develop supportive housing for seniors.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

53. 041390 [Needle Exchange Emergency]**Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Duffy**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

54. 041436 [Emergency Declaration Concurrence]**Emergency Declaration Concurrence**

Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.
(Mayor)

10/13/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

55. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

*[Imperative Resolutions, if any]***OFF-AGENDA LEGISLATION****PROPOSED ORDINANCES**

Proposed ordinances received from September 28, 2004 through October 8, 2004, for reference by President to appropriate committee on October 19, 2004.

041388 [Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717).
(City Attorney)

10/7/2004, RECEIVED AND ASSIGNED to Rules Committee.

041427 [Settlement of Lawsuit]

Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al.
(City Attorney)

10/8/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 28, 2004 through October 8, 2004, for reference by President to appropriate committee on October 19, 2004.

041338 [Settlement of Claim - Shon Escamillo]

Resolution Approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003.
(City Attorney)

9/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003.
(City Attorney)

9/30/2004, RECEIVED AND ASSIGNED to Rules Committee.

041344 [Develop and implement an automated immunization and reminder system in San Francisco, as part of a statewide system]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$31,686 from the California Department of Health Services (CDHS) to enable San Francisco to participate in an automated statewide immunization information system and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005.
(Public Health Department)

9/30/2004, RECEIVED AND ASSIGNED to City Services Committee.

10/8/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041345 [Expand treatment capacity for homeless addicts in San Francisco through residential treatment and service coordination and add two positions]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$499,999 for the third year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the homeless addict vocational and educational network (HAVEN), to enter into an agreement for the use of these funds, and to add two new positions not included in the original grant; for the period of September 30, 2004 to September 29, 2005.
(Public Health Department)

9/30/2004, RECEIVED AND ASSIGNED to City Services Committee.

10/4/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041346 [State grant to expand homeless services to the mentally ill]

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS) to accept retroactively and expend a grant in the amount of \$423,964 from the California Department of Mental Health (CDMH) to expand homeless services to the mentally ill; for the period of July 1, 2004, to June 30, 2005.

9/30/2004, RECEIVED AND ASSIGNED to City Services Committee.

10/4/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041369 [FY 2004-05 California Constitution Appropriations Limit]

Resolution establishing the appropriations limit for Fiscal Year 2004-05 pursuant to California Constitution Article XIII B.
(Controller)

9/29/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041385 [Street Encroachment at 199 Geary Street / Security Pacific Place]

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.

(Public Works Department)

10/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041386 [Encroachment Permit Fiber Optic lines along Spear Street for The Gap]

Resolution granting revocable permission to The Gap to occupy a portion of the public right-of-way to construct, install and maintain new conduits, manholes and fiber optic lines on Spear Street to interconnect buildings at #2 Folsom Street (Block 3741, Lot 035), 345 Spear Street (Block 3744, Lot 003) and #1 Harrison Street (Block 3769, Lot 002A); assessing an annual rental cost for said the encroachment; and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

(Public Works Department)

10/5/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041389 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Baker and Broadway, making this intersection an All-Way STOP;

19th and York Streets, stopping 19th Street at York Street, making this intersection an All-Way STOP;

Douglass and Jersey Streets, stopping Jersey Street at Douglass Street, stopping the stem of this uncontrolled T-intersection;

24th Street at Treat Avenue, stopping 24th Street at Treat Avenue, making this intersection an All-Way STOP; and

17th Avenue and Moraga Street, stopping 17th Avenue at Moraga Street, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(10/6/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2887.)

10/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041424 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH

16th Avenue, northbound, between Rivera and Santiago Streets.

(Parking and Traffic Department)

(10/6/04 - Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2887.)

10/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041425 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Avenue, both sides, between Ocean Avenue and Sloat Boulevard (2900 block); and Sloat Boulevard, south side, between 20th and 21st Avenues (400 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Street, both sides, between Dolores and Guerrero Streets (3400 block).

RESIDENTIAL PERMIT PARKING AREA "U" (2--HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH

248-254 Ritch Street, west side, between Brannan and Bryant Streets (adds even addresses only, no permit parking signs will be posted on this block).

PARKING METER AREA NO. 3 (9 AM - 6PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bacon Street, north side, from San Bruno Avenue to 135 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Bacon Street, north side, from 125 to 135 feet east of San Bruno Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Plum Street, north side, from Mission Street to 31 feet easterly (31-foot zone, accommodating 5 motorcycle parking spaces).

(Parking and Traffic Department)

10/7/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041428 [Agreement to sell real property related to the former Central Freeway parcels located on Elm Street near Gough Street]

Resolution approving and authorizing agreement for the sale by the City, at fair market value, of certain real property known generally as a portion of Lot 23, Assessor's Block 761 to the San Francisco Federal Credit Union; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.

(Real Estate Department)

10/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041434 [Report of assessment costs for sidewalk and curb repairs]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

(Public Works Department)

(DPW Order No. 175,026; Locations: 1990 California Street; 1306 Clayton Street.)

10/8/2004, ASSIGNED to Board of Supervisors.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

OCT 15 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Friday, October 22, 2004 10:00 AM

Special Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

NEW BUSINESS

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File No. 041447.)

1. 041446 [Hearing - Hotel Worker Lockout]
Hearing to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.
(Clerk of the Board)

Action: _____

2. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

This measure is introduced for adoption without committee reference.

(Pending introduction of legislation.)

3. 041447 [Hotel Worker Lockout - October 22, 2004 Committee of the Whole]
Supervisor Gonzalez
Motion for the Board of Supervisors to convene as a Committee of the Whole on October 22, 2004 at 10:00 a.m. to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.

10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

OCT 22 2004

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10-22-04 A15:10 B100

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 26, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsuprvrs.bos.htm.

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ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041178 [Declaring blighted vacant lots to be a nuisance and authorizing DPW to abate such nuisances at the owners' expense following notice and opportunity for hearing]
Supervisors Elsbernd, Dufty, Ma, McGoldrick, Gonzalez
Ordinance amending Article 15 of the Public Works Code by adding Sections 735 through 735.4 to declare blighted vacant lots a public nuisance, require owners to abate such nuisances and authorize DPW to abate such nuisances at the owners' expense following written notice from DPW and the opportunity for a hearing.

10/19/2004. PASSED ON FIRST READING. Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

2. 031932 [Restricting the sale or transfer of 50 caliber firearms and ammunition, requiring reporting of firearm thefts, and deleting obsolete provisions regulating firearms]

Supervisors Gonzalez, Duffy, Daly

Ordinance amending the Police Code by deleting Sections 552, 556 and 557, relating to possession of firearms by minors and possession of facsimile firearms in order to conform to state law, amending Section 602 to delete redundant provisions and provisions relating to air guns in order to conform to state law; amending Sections 613.1, 613.10 and 613.10-1 to delete requirements relating to "Saturday Night Specials," restrictions on the sale of large capacity magazines and various other requirements relating to firearms dealers in order to conform to state law and add new requirements in Section 613.10-1 to restrict the sale or transfer of 50 caliber firearms and ammunition; amending Sections 613.2 and 613.3 to require the Chief of Police to conduct a background check on applicants for a firearms dealer license and such applicants' employees; amending Sections 613, 613.10-3, 613.12, 613.16, 613.19, 617 and 618 to make technical and conforming corrections; amending Section 613.10-2, restricting the sale of ultracompact firearms to update findings and exceptions to restrictions on sales, deleting Sections 614 through 616, relating to reporting of firearms sales by dealers in order to conform to state law, renumbering existing Sections 617 and 618 as Sections 614 and 615; and adding a new Section 616, requiring owners of firearms to report the loss or theft of a firearm to the Police Department.

7/13/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

9/21/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

10/19/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

3. 041150 [Revising graffiti clean-up requirements for property owners and revising enforcement and abatement procedures where property owners fail to remove graffiti]

Supervisors Elsbernd, Duffy, Ma, Alioto-Pier, McGoldrick, Gonzalez

Ordinance amending Article 23 of the San Francisco Public Works Code by (1) amending Sections 1301 through 1304, deleting existing Section 1305, amending and retaining part of existing Section 1306 as renumbered Section 1305, and amending and placing part of existing Section 1306 in new Section 1306, to require that property owners either remove graffiti from their property or request a hearing within 30 days of receiving a notice of violation, clarify and streamline review procedures for graffiti violations, and authorize special assessments to recover graffiti removal costs; and (2) making technical corrections to Sections 1307 and 1308.

10/19/2004, PASSED ON FIRST READING. Supervisors McGoldrick and Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

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Recommendations of the City Services Committee

Present: Supervisors Duffy, Ma, Elsbernd

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10/19/2004, PASSED ON FIRST READING. Supervisors McGoldrick and Gonzalez requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

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Supervisors Gonzalez, Dufty, Daly

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7/13/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

9/21/2004, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

10/19/2004, PASSED ON FIRST READING. Supervisor Daly requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

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Supervisors Elsbernd, Dufty, Ma, Alioto-Pier, McGoldrick, Gonzalez

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10/19/2004, PASSED ON FIRST READING. Supervisors McGoldrick and Gonzalez requested to be added as a co-sponsor

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Peskin, Ammiano

4. 041245 [To substitute funds in General Fund for parking tax revenue currently appropriated to programs for Senior Citizens]
Mayor, Supervisors Ma, Duffy, Elsbernd, Ammiano, Alioto-Pier, Peskin, Maxwell
Ordinance substituting \$10,710,000 of parking tax revenue currently appropriated to programs for senior citizens with \$10,710,000 of General Fund for fiscal year 2004-05, as part of the September 9, 2004 state Court of Appeals ruling in the case City & County of San Francisco vs. Flying Dutchman Park, Inc.
(Fiscal impact.)
- 10/19/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
5. 041309 [Public Employment - DPH, OES, Fire, Police, Sheriff, and Port]
Supervisor Ma
Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) to reflect the creation of forty-two positions and the deletion of six positions in the following departments: Public Health, Office of Emergency Services, Fire, Police, Sheriff, and Port.
(Fiscal impact.)
- 10/19/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
6. 041313 [Payment of Reward - Jane Doe]
Mayor
Ordinance authorizing payment of a \$12,500.00 reward to Jane Doe for supplying information leading to the arrest and conviction of the perpetrators who murdered Shayne Worcester.
- 10/19/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
7. 041314 [Payment of Reward to three John Does]
Mayor
Ordinance authorizing payment of a \$10,000.00 reward to be split amongst three John Does for supplying information leading to the arrest and conviction of the perpetrator responsible for the death of Parrish Wingard.
- 10/19/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

8. 041233 [Stop Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Grove and Scott Streets, stopping Scott Street, making this T-intersection an All-Way STOP;
Neptune Street and Thornton Avenue, stopping Thornton Avenue, making this intersection an All-Way STOP; and

Olympia Way and Panorama Drive, stopping Olympia Way at Panorama Drive, making this T-intersection an All-Way STOP.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Question: Shall this Resolution be ADOPTED?

9. 041234 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Webster Street, west side, between Broadway and Vallejo Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lyon Street, west side, from 16 feet south of Chestnut Street to 16 feet north of Chestnut Street (100-foot zone).

UNMETERED MOTORCYCLE PARKING - EXTEND
7th Street, west side, from 76 feet to 97 feet north of Townsend Street (accommodating an additional six unmetered motorcycle parking spaces).

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Lathrop Avenue, south side (400-600 blocks); and
Lathrop Avenue, north side, (600 block).

TOW-AWAY, NO STOPPING ANYTIME - EXTEND
Bayshore Boulevard, west side, from 220 feet to 310 feet south of Bacon Street (90-foot extension).

NO PARKING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY, AND 1-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY, 7 AM TO 6 PM, SATURDAY, EXCEPT VEHICLES WITH CARPOOL PERMITS - RESCIND
4th Street, east side, from Folsom Street to 125 feet southerly (parking meters to remain).

TOW-AWAY, NO STOPPING MONDAY - FRIDAY, 7 AM TO 9 AM - RESCIND
Folsom Street, east side, from 12th to 14th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, east side, from 75 feet south to 112 feet north of 13th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Baker Street, east side, from Broadway to Pacific Avenue.

2 HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - RESCIND
PARKING METERS (METER RATE AREA NO.3), 2-HR TIME LIMIT, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
Harrison Street, both sides, between 6th and 7th Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Dolores Street, east side, from Duncan Street to a point 19 feet southerly (accommodates three motorcycle parking spaces and aids visibility at the corner).

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
13th Street, from 102 feet to 56 feet east of Folsom Street (46 feet).

1 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - RESCIND
2 - HOUR PARKING, 7 AM - 6 PM, EXCEPT SUNDAY - ESTABLISH
12th Street, between Folsom and Harrison Streets; and
Folsom Street, between 11th and 13th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Clarendon Avenue, north side, from Laguna Honda Boulevard to a point 100 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY

THROUGH SATURDAY) - ESTABLISH

Capp Street, both sides, between 26th and Mission Streets (1100 block). (excludes the thru-lot of 3330 Cesar Chavez Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

23rd Street, both sides, between Dolores and Chattanooga Streets (3700 block).

NO PARKING ANYTIME EXCEPT BICYCLES - ESTABLISH

Grove Street, north side, from 147 feet to 194 feet west of the Hyde Street crosswalk.

GREEN ZONE, 9 AM - 6 PM, MONDAY THROUGH SATURDAY - RESCIND

GREEN ZONE, 8 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

18th Street, north side, from Diamond Street to 48 feet westerly (extended hours requires Board of Supervisor's approval).

NO PARKING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

Mullen Drive, south side, from Peralta Avenue to Franconia Street.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

TOW-AWAY, NO PARKING ANYTIME, EXCEPT ACTIVE LOADING - ESTABLISH

Bayshore Boulevard, west side, from 45 feet north of Sunnysdale Avenue to 232 feet northerly (232-foot zone).

THREE-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Rhode Island Street, east side, between 15th and Alameda and Streets; and
15th Street, north side, between Rhode Island and De Haro Streets.

RESIDENTIAL PERMIT PARKING AREA "R" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Buchanan Street, east side, between Larch Way and Turk Street (1200 block, even addresses only).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 35 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - RESCIND

3rd Street, east side, from Kirkwood Avenue to 70 feet southerly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

3rd Street, east side, from Kirkwood Avenue to 70 feet northerly.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Question: Shall this Resolution be ADOPTED?

10. 041235 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND

Fowler Avenue at Teresita Boulevard, southbound.

BICYCLE LANES - ESTABLISH

Folsom Street, northbound, from 11th to 14th Streets.

(Parking and Traffic Department)

8/26/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Question: Shall this Resolution be ADOPTED?

11.

041270

[Parking Regulations]**Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, north side, from Van Ness Avenue to Polk Street, eliminating 13 parking meters.

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Polk Street to Larkin Street.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly eliminating parking meter nos. 802, 804, 806 and 808, (to create a 94-foot left turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

895 O'Farrell Street at Polk Street, southeast corner, from 81 feet to 99 feet east of Polk Street, extending bus zone by 18 feet).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street (establishing eleven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Larkin Street to Hyde Street (establishing ten parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly, (to create a 90-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Hyde street to Leavenworth Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street (establishing seven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Hyde Street to Leavenworth Street (establishing six parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

608 O'Farrell Street at Leavenworth Street, northwest corner side, from Leavenworth Street to Harlem Alley, (to create a 76-foot left-turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

501 O'Farrell Street at Jones Street, southwest corner, from Jones Street to 96 feet westerly, (to create a 96-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Leavenworth Street to Jones Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Leavenworth Street to Jones Street (establishing nine parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Leavenworth Street to Jones Street (establishing nine parking meters).

NO STOPPING ANYTIME - REVOKE

METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH

340 O'Farrell Street, north side, from 245 feet to 289 feet east of Taylor Street (44-foot zone establishing two meters).

NO STOPPING ANYTIME - REVOKE

GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH

360 O'Farrell Street, north side, from 85 feet to 245 feet east of Taylor Street (160-foot zone establishing eight meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

451 O'Farrell Street, south side, from 107 feet to 251 feet east of Jones Street (eliminates meters nos. 429, 427, 425, 421 and 419 to establish a 110-foot bus zone bulb out with 17 foot tapers on each end).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Jones Street to Taylor Street.

TOW AWAY NO STOPPING ANYTIME - REVOKE

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Taylor Street to Mason Street.

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Larkin Street to Polk Street (establishing twelve meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1064 Geary Street at Van Ness Avenue, northeast corner, from Van Ness Avenue to 88 feet easterly, (to create an 88-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1020 -1054 Geary Street, north side, from 96 feet to 236 feet west of Polk Street (144-foot zone eliminates parking meters 1012, 1014, 1016, 1020, 1024, and 1028 to establish a bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

990 Geary Street at Polk Street, northeast corner, from Polk Street to 100 feet easterly (to create a 100-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

999 Geary Street at Polk Street, southeast corner, from Polk Street to 92 feet easterly, (to create a 92-foot left-turn pocket during non-peak hours).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY -
ESTABLISH

Geary Street, north and south sides, from Hyde Street to Larkin Street (establishing fifteen meters).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY -
ESTABLISH

Geary Street, north and south sides, from Leavenworth Street to Hyde Street (establishing sixteen meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

894 Geary Street at Larkin Street, northeast corner, from Larkin Street to 57 feet easterly, (to create a 57-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

700 Geary Street at Leavenworth Street, northwest corner, from Leavenworth Street to 134 feet westerly, (establishing a 120-foot bus zone bus bulb, with 12-foot taper at the west end).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

795 Geary Street at Hyde Street, southeast corner, from Hyde Street to 80 feet easterly (to create an 80-foot left-turn pocket, during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 90 feet easterly, (to create a 90-foot right-turn pocket).

GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY -
ESTABLISH

Geary Street, north and south sides, between Jones Street and Leavenworth Street (establishing ten general parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

520 Geary Street at Taylor Street, north side, from 75 feet to 100 feet west of Taylor Street (eliminates yellow zone meter no. 508 extending existing bus zone by 25 feet).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

585 Geary Street at Jones Street, southeast corner, from Jones Street to 84 feet easterly, (to create an 84-foot left-turn pocket during non-peak hours, eliminates parking meter nos. 593, 595, 597 and 599).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

391 Geary Street at Mason Street, southeast corner, from Mason Street to 82 feet easterly, (to create an 82-foot left turn pocket, during non-peak hours, eliminates yellow zone meter nos. 337, 339 and 341).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

10 Geary Street, north side, from 90 feet to 130 feet west of Kearny Street (eliminates yellow zone meter nos. 14 and 16 to extend existing bus zone bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

100 Geary Street at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly, (to create a 72-foot right turn pocket, eliminating yellow zone parking meter no. 38).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

310 Geary Street, north side, from 95 feet to 135 feet west of Powell Street (eliminates yellow zone meters 18 and 22 to extend existing bus zone).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

Question: Shall this Resolution be ADOPTED?

12. 041271 [Traffic Regulations]**Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Hyde and Leavenworth Streets.

TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Leavenworth and Jones Streets.

TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - REVOKE

RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
300 block of Geary Street (transit lane).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

13. 040988 [Prohibiting contractors from disclosing private information about individuals obtained from the City and County without written approval or authorization by law]

Supervisors McGoldrick, Peskin, Maxwell, Ammiano, Gonzalez, Alioto-Pier, Elsbernd

Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12M to prohibit contractors from disclosing to any person or entity private information about individuals obtained from the City and County in the performance of the contract unless the contract authorizes the disclosure, the contractor first obtains the written approval of the contracting department, or the disclosure is authorized or required by law.

10/19/2004, PASSED ON FIRST READING. Supervisor Elsbernd requested to added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

14. 041282 [Settlement of Unlitigated Claim - National Airlines]**Mayor**

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission (the "Airport"), against National Airlines ("National") by approving a Settlement Agreement pursuant to which National will pay to the Airport \$12,374,23.

10/19/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

15. 041342 [Settlement of Lawsuit - Apartment Investment and Management Company, aka AIMCO, et al.]

Ordinance authorizing settlement of a lawsuit filed by the City and County of San Francisco against AIMCO and seven of its corporate affiliates, filed on January 30, 2002 in San Francisco Superior Court, Case No. GCG 02-404-010, entitled City and County of San Francisco, et al., v. Apartment Investment and Management Company, aka AIMCO, et al., relating to code violations at four apartment buildings in Bayview/Hunters Point, and a cross-complaint against the City and certain individual employees filed on January 28, 2003; the settlement provides for payment to the City of a total of \$3,000,000 plus an additional contingent payment of \$500,000; \$1,000,000 of the \$3,000,000 payment from AIMCO will be dedicated to improving public safety in the area through helping establish a new Hunters Point/Bayview S.F. Boys and Girls Club with an associated Police Department Office; the settlement also provides that AIMCO has abated or will abate all notices of violation issued by the Department of Building Inspection that were the subject of the lawsuit; and approving satisfaction of DBI fees for AIMCO's proposed renovation of the Properties, through AIMCO's payment of settlement funds to the City.
(City Attorney)

10/19/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

16. 041217 [Appointment - Sunshine Ordinance Task Force]

Resolution appointing Rosalina Contreras-Rosado, term ending April 27, 2005, to the Sunshine Ordinance Task Force.

Rosalina Contreras-Rosado, succeeding Pawan Mehra, resigned, seat 4, must be appointed from names submitted by New California Media and be a journalist from a racial/ethnic-minority-owned news organization, for the unexpired portion of a two-year term ending April 27, 2005.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Gonzalez

17. 041426 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing Alexander MacDonald, term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Alexander MacDonald, succeeding Harriet Sebastian, resigned, seat 2, must be nominee of District 6 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance and Audits Committee

Present: Supervisors: Daly, Peskin, Ammiano

18. 041173 [Funding from bond proceed sales of General Obligation and Lease Revenue bonds for improvement and construction of open space/ neighborhood park projects and to re-appropriate prior year Open Space project funding to active current fiscal year projects] Supervisors McGoldrick, Elsbernd, Gonzalez, Daly
- Ordinance appropriating \$68,800,000 of bond sale proceeds from General Obligation Bonds to fund the improvement and construction of parks and open space (as part of Proposition A) appropriating \$27,005,000 of bond sales proceeds from Lease Revenue Bonds to fund at least 11 neighborhood park improvement projects and various additional projects; and re-appropriating \$2,783,973 of prior year Open Space project funding to various active capital improvement projects in current fiscal year 2004-05 for a total amount of \$98,588,973; and releasing \$2,000,000 in reserve, funded through Revenue Bonds, for capital projects; and placing the amounts of \$68,800,000, \$27,005,000, \$191,700 and \$3,273,272 on reserve.
- (Fiscal impact.)

10/5/2004. CONTINUED. Continued to October 19, 2004

Supervisor Elsbernd requested to be added as a co-sponsor.

10/19/2004. AMENDED. AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/19/2004. PASSED ON FIRST READING AS AMENDED. Supervisors Gonzalez and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Elsbernd

19. 041148 [Dance and Place of Entertainment Permits-security requirements, increased penalty for violation]

Supervisors Maxwell, Dufty, Alioto-Pier, Ma, Gonzalez, Daly

Ordinance amending San Francisco Police Code Sec. 1022 to define "security plan"; amending Police Code Sec. 1023 to require applicants for dance permits to have a security plan, and to require owners or managers of places that are rented to persons planning to use the facility for a dance to inform such persons that a permit is required for such activity; amending Police Code Sec. 1027 to make the violation of Secs. 1023 through 1026 an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; amending Police Code Sec. 1060 to define "security plan"; amending Police Code Sec. 1060.5 to revise determination of application criteria to require a security plan; amending Police Code Sec. 1060.25 to increase the maximum penalty for violation of Article 15.1 to an infraction or a misdemeanor, to increase the maximum penalty for violation thereof to \$1000, and subject to revocation of the permit; adding Police Code Sec. 1060.29 to require one night event permits for one night events; and amending Police Code Sec. 2.26 to include one night events under the schedule of permits and filing fees.

10/19/2004, AMENDED. Amended on page 7, line 15, by replacing "Chief of Police" with the "Entertainment Commission".
10/19/2004, PASSED ON FIRST READING AS AMENDED. Supervisors Gonzalez and Daly requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

20. 041369 [FY 2004-05 California Constitution Appropriations Limit]
Resolution establishing the appropriations limit for Fiscal Year 2004-05 pursuant to California Constitution Article XIII B.
(Controller)

Question: Shall this Resolution be ADOPTED?

21. 041249 [Requiring Graffiti-Resistant Parking and Traffic Control Signs]
Supervisors Dufty, Ma, Ammiano, Maxwell, Elsbernd, Alioto-Pier, Peskin
Ordinance amending Article 3 of the San Francisco Traffic Code by adding Section 51 to require the Department of Parking and Traffic to (1) replace all existing parking and traffic control signs defaced by graffiti with new signs treated with graffiti-resistant sheeting, and (2) install only new parking and traffic control signs treated with graffiti-resistant sheeting.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

22. 040145 [Zoning Map Amendment - Second Street between South Park and Townsend Streets]
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 1H, to change the height and bulk district designations of Assessor's Block 3775, Lots 007 and 008, on the western side of Second Street between South Park and Townsend Streets from 40-X to 65-X, and adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 041115 [Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 040563 [San Jose Avenue, Guerrero Street Pedestrian Safety Improvements]
Supervisors Dufty, Ammiano, Peskin, Maxwell
Resolution establishing various traffic and parking changes on portions of San Jose Avenue, Cesar Chavez Street, and Dolores Street.

9/28/2004, SUBSTITUTED. Supervisor Dufty submitted a substitute resolution bearing new title.

Question: Shall this Resolution be ADOPTED?

25. 041099 [Street Artist Winter Holiday Spaces]
Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2004, beginning on November 15, 2004 and ending on January 15, 2005.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

26. 041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]
Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

27. 041394 [Urging the Department of Environment to develop plans for a renewable hydrogen fueling station alongside other alternative fuels]
Supervisor Gonzalez
Resolution urging the Department of the Environment to develop plans for a renewable hydrogen fueling station, alongside other possible fuels, for the implementation of a complete alternative fueling station in San Francisco and to report back to the Board within 6 months.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

28. 041242 [Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council]
Supervisors Ma, Maxwell, Alioto-Pier, Dufty
Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 041280 [Housing Authority Commissioner Julie Lee]
Supervisors Gonzalez, Ammiano, Daly, Peskin, Elsbernd, Alioto-Pier
Resolution urging Housing Authority Commissioner Julie Lee to resign, urging the Mayor to call for her resignation and urging the Housing Authority Commission to call for her resignation.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Gonzalez

30. 041384 [Appointment - Graffiti Advisory Board]
Resolution appointing Supervisor Tom Ammiano, term indefinite, to the Graffiti Advisory Board.
Supervisor Tom Ammiano, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

(Supervisor Ammiano excused from voting.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, October 25, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 26, 2004.

31. 041070 [Zoning - Conditional Use for Change in Use or Demolition of a Movie Theater]
Supervisors Peskin, McGoldrick
Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a movie theater; amending Planning Code section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a movie theater; making findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1; making environmental findings; and making the Ordinance retroactive to any site permit application submitted after July 27, 2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Finance and Audits Committee at a Special Meeting on Tuesday, October 26, 2004 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 26, 2004.

32. 041408 [Rejecting the issuance of a conditional waiver to San Francisco Cycling, LLC]
Supervisor Daly
Resolution rejecting the conditional waiver for the cost of police services provided to San Francisco Cycling, LLC for the 2004 T-Mobile International Bike Race and for the upcoming 2005, 2006 and 2007 T-Mobile International Bike Race.
(Fiscal impact.)
- 10/19/2004, REFERRED to Finance and Audits Committee. Supervisor Daly requested that this matter be continued to October 26, 2004.
- Supervisor Alioto-Pier requested that this matter referred to Committee.
- Question: Shall this Resolution be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

35. 041448 [Legislative Analyst Request - Neighborhood Theaters]
Supervisor McGoldrick
Motion requesting the Legislative Analyst to draft a report describing efforts undertaken and being considered by the City to address the issue of loss of neighborhood theaters. Please complete a draft of this report for introduction and adoption by the Board of Supervisors by November 9, 2004. This report is required under state law to be completed by the Board of Supervisors ten (10) days prior to the expiration of any temporary moratorium imposed by the City, such as that recently passed by the Board of Supervisors as an Urgency Ordinance and signed by the Mayor on October 14, 2004. The report, therefore, must be adopted by November 19. In order for the Board to adopt the report on November 16, it must be introduced at a previous Board meeting, the closest one being November 2, 2004.
- Question: Shall this Motion be APPROVED?

29. 041280 [Housing Authority Commissioner Julie Lee]
Supervisors Gonzalez, Ammiano, Daly, Peskin, Elsbernd, Alioto-Pier
Resolution urging Housing Authority Commissioner Julie Lee to resign, urging the Mayor to call for her resignation and urging the Housing Authority Commission to call for her resignation.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Gonzalez

30. 041384 [Appointment - Graffiti Advisory Board]
Resolution appointing Supervisor Tom Ammiano, term indefinite, to the Graffiti Advisory Board.
Supervisor Tom Ammiano, succeeding Supervisor Gavin Newsom, resigned, seat 1, must be member of the Board of Supervisors, for an indefinite term.

(Supervisor Ammiano excused from voting.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Land Use Committee at a Regular Meeting on Monday, October 25, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 26, 2004.

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Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and 803.3 to require conditional use authorization for any project involving the change in use or demolition of a movie theater; amending Planning Code section 303 to require specific findings as part of a conditional use authorization for a change in use or demolition of a movie theater; making findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1; making environmental findings; and making the Ordinance retroactive to any site permit application submitted after July 27, 2004.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the Finance and Audits Committee at a Special Meeting on Tuesday, October 26, 2004 at 9:30 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 26, 2004.

32. 041408 [Rejecting the issuance of a conditional waiver to San Francisco Cycling, LLC]
Supervisor Daly
Resolution rejecting the conditional waiver for the cost of police services provided to San Francisco Cycling, LLC for the 2004 T-Mobile International Bike Race and for the upcoming 2005, 2006 and 2007 T-Mobile International Bike Race.
(Fiscal impact.)
- 10/19/2004, REFERRED to Finance and Audits Committee. Supervisor Daly requested that this matter be continued to October 26, 2004.
- Supervisor Alioto-Pier requested that this matter referred to Committee.
- Question: Shall this Resolution be ADOPTED?

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

35. 041448 [Legislative Analyst Request - Neighborhood Theaters]
Supervisor McGoldrick
Motion requesting the Legislative Analyst to draft a report describing efforts undertaken and being considered by the City to address the issue of loss of neighborhood theaters. Please complete a draft of this report for introduction and adoption by the Board of Supervisors by November 9, 2004. This report is required under state law to be completed by the Board of Supervisors ten (10) days prior to the expiration of any temporary moratorium imposed by the City, such as that recently passed by the Board of Supervisors as an Urgency Ordinance and signed by the Mayor on October 14, 2004. The report, therefore, must be adopted by November 19. In order for the Board to adopt the report on November 16, it must be introduced at a previous Board meeting, the closest one being November 2, 2004.
- Question: Shall this Motion be APPROVED?

36. 041473 [Legislative Analyst Request - San Francisco's Graffiti Laws and Enforcement Practices]
Supervisor Elsbernd
Motion requesting the Legislative Analyst to prepare a brief report comparing San Francisco's graffiti laws and enforcement practices to those in Chicago, New York City, Los Angeles, and Boston.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 37 through 51

37. 041419 [Honoring Raoul Wallenberg]
Supervisors Peskin, Dufty, Elsbernd
Resolution proclaiming Raoul Wallenberg to be an honorary citizen of the City and County of San Francisco.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/19/2004, CONTINUED. Continued to October 26, 2004

Supervisor Elsbernd requested to added as a co-sponsor.
Question: Shall this Resolution be ADOPTED?
38. 041406 [Family Economic Self Sufficiency]
Supervisors Ammiano, Daly
Resolution adopting "Family Economic Self Sufficiency" as a goal toward which the City and County will strive to achieve and will make concerted efforts to move families out of poverty towards economic self-sufficiency through legislation initiative, budgetary planning decisions and executive policy directives.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/7/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
10/18/04 - Supervisor Daly requested to be added as co-sponsor.
10/19/2004, CONTINUED. Continued to October 26, 2004
Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Resolution be ADOPTED?
39. 041407 [Supporting the Emergency Medical Care Initiative]
Supervisors Ammiano, Maxwell, McGoldrick, Dufty, Alioto-Pier, Daly
Resolution supporting the passage of Proposition 67, the Emergency Medical Care Initiative on the 2004 November ballot.

10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/19/2004, CONTINUED. Continued to October 26, 2004
Question: Shall this Resolution be ADOPTED?

40. 041421 [Supporting Bringing America Home Act (H.R. 2897)]
Supervisors Peskin, Daly
Resolution supporting the Bringing America Home Act (H.R. 2897), currently pending in the 108th Congress, and urging its passage by the United States Congress.
- 10/5/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
10/19/2004, CONTINUED. Continued to October 26, 2004
- Supervisor Daly requested to be added as a co-sponsor.
Question: Shall this Resolution be ADOPTED?
41. 041455 [MOU between the San Francisco Police Department and the San Francisco Housing Authority for additional police services]
Supervisor Maxwell
Resolution retroactively approving the Memorandum of Understanding between the San Francisco Police Department and the San Francisco Housing Authority for additional police services in designated Housing Authority Developments.
- 10/19/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
42. 041474 [Andrew Greene Day]
Supervisor Ammiano
Resolution declaring October 29th, 2004 as Andrew Greene Day in the City and County of San Francisco.
- 10/19/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
43. 041475 [First in Solar Week]
Supervisors Ammiano, Dufty
Resolution declaring October 18 –22, 2004 as “San Francisco – First in Solar Week” in the City and County of San Francisco.
- 10/19/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
44. 041476 [Commending PlanetOut, Inc.]
Supervisors Dufty, Ammiano
Resolution commending PlanetOut, Inc. for persevering through financial hardship to complete an IPO, and to continue to serve, entertain, and support the gay, lesbian, bisexual and transgender communities while facing these hardships, and for overcoming adversity to forge a hopeful future for members of the community as well as its subscribers.
- 10/19/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

45. 041477 [Hotel Worker Lockout]
Supervisor Gonzalez
Resolution urging the San Francisco Hotels Multi-Employer Group to end the lockout of over 4,000 workers and urging the San Francisco Convention and Visitor's Bureau to notify all visitors of non-cooperation on the part of the San Francisco Hotels Multi-Employer Group and of their refusal to allow workers to return to their jobs.
- 10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
46. 041478 [Filipino American History Month]
Supervisors Ma, Dufty
Resolution declaring October 2004 as "Filipino American History Month" in the City and County of San Francisco.
- 10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
47. 041479 [Accept-Expend Federal/State Pass Through Grant]
Supervisors Ma, Dufty
Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of \$100,000 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for purchasing materials that help meet the needs of Chinese and Russian immigrants in San Francisco.
- 10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
48. 041481 [STOP sign - Filbert Street Westbound at Powell Street]
Supervisor Peskin
Resolution designating the intersection of Filbert Street at Powell Street as a "STOP" intersection.
- 10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
49. 041482 [Urging the United States Congress to pass and President George W. Bush to sign into law the Filipino Veterans Bills H.R. 677 and S. 88]
Supervisor Sandoval
Resolution urging United States Congress to pass and President George W. Bush to sign into law the Filipino Veterans Bills H.R. 677 and S. 88.
- 10/19/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

50. 041438 [Final Map for a 7 Unit Commercial / Residential Condominium Project - 807 Columbus Avenue]
Motion approving Final Map of 807 Columbus Avenue, A Commercial / Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 74, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)

10/15/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 041447 [Hotel Worker Lockout - October 22, 2004 Committee of the Whole]
Supervisor Gonzalez
Motion for the Board of Supervisors to convene as a Committee of the Whole on October 22, 2004 at 10:00 a.m. to consider the impact of the lockout of hotel employees by the San Francisco Hotels Multi-Employer Group and possible measures the City can take to ameliorate the situation.

10/19/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

52. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 9, 2004 through October 18, 2004, for reference by President to appropriate committee on October 26, 2004.

041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]

Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit.
(City Attorney)

10/14/2004. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 9, 2004 through October 18, 2004, for reference by President to appropriate committee on October 26, 2004.

041430 [Emergency Repairs]

Resolution authorizing expenditure of funds for emergency repairs of Early Intake at an estimated cost of \$4,700,000.
(Public Utilities Commission)

10/15/2004. RECEIVED AND ASSIGNED to Finance and Audits Committee.

041451 [Airport Concession Lease No. 03-0195]

Resolution approving the termination of Domestic Terminal Food and Beverage Program Lease No. 03-0195 between Susie Lee Tong Enterprises, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

10/18/2004. RECEIVED AND ASSIGNED to Finance and Audits Committee.

041452 [Airport Concession Lease - "F" Newsstand]

Resolution approving the Boarding Area "F" Newsstand Lease between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

10/18/2004. RECEIVED AND ASSIGNED to Finance and Audits Committee.

041453 [Airport Concession Lease - Terminal 3 Newsstands]

Resolution approving the Terminal 3 Newsstands Lease - A Disadvantaged Business Enterprise Set-Aside between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

10/18/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041454 [Accept-Expend Federal Grant - SmartCatch Project]

Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$518,266.00 from the Transportation Security Administration to develop, test, and apply real-time automated video surveillance technologies.
(Airport Commission)

10/18/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041483 [Petitions and Communications]

Petitions and Communications received from October 9, 2004 through October 18, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 26, 2004.

From various City Departments, responding to inquiry regarding types of food or beverage products purchased by City Departments: Copy: Supervisor Peskin (1)
Department of Administrative Services (Reference No. 20040914-052)
Department of Children, Youth and Their Families (Reference No. 20040914-056)
Office of Contract Administration (Reference No. 20040914-046)
S.F. Convention Facilities (Reference No. 20040914-064)
Mayor's Office of Criminal Justice (Reference No. 20040914-033)
Fine Arts Museums of San Francisco (Reference No. 20040914-051)
Law Library (Reference No. 20040914-043)
From Public Library, responding to inquiry regarding food purchases. (Reference No. 20040914-40)
Sheriff (Reference No. 20040914-010)

From Recreation and Park Department, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board.
(2)

From Department of Economic and Workforce Development, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (3)

From the Real Estate Division, submitting a brief description of the availability of City-owned properties at 2350 19th Avenue and 1648 Pacific Avenue to determine if any department or agency is interested. (4)

From State Board of Equalization, submitting summons to county assessors to meet with the Board and authorize representatives pursuant to the provisions of Government Code Section 15607 on November 17, 2004 in San Diego. (5)

From various signators, submitting Form 700 Statement of Economic Interests.
Rebekah Krell, Legislative Assistant to Supervisor Sean Elsbernd (6)

From Department of Human Services, responding to inquiry on proposed legislation regarding prohibiting contractors from disclosing private information about individuals and proposed legislation on bid preference. (Reference No. 20040727-041) Copy: Supervisor McGoldrick (7)

From Department of Public Works, submitting notice of public hearing regarding the relocation of the Doggie Diner Head on Sloat Boulevard on October 28, 2004 at 6:00 p.m., at the Irish Cultural Center at 2700 - 45th Avenue. Copy: Supervisors Ma, Elsbernd (8)

From concerned citizens, submitting opposition to proposed legislation prohibiting parking of trailers, motor homes and boats on any highway, street or alley between the hours of 10:00 p.m. to 6:00 a.m. File 041073, Copy: Supervisor Ma, Finance Committee members, 2 letters (9)

From Fire Department, submitting notice that the Department does not have any city contracts that involve any work that is performed outside the United States. (Reference No. 20040727-022) Copy: Supervisor McGoldrick (10)

From Fire Department, responding to inquiry regarding the intent of timeline and procedures for the fair market sale of 2530 19th Avenue. (Reference No. 20040810-003) Copy: Supervisor Alioto-Pier (11)

From Department of Human Services, submitting updated information regarding the Independent Living Skills Program. (12)

From Department of Human Resources, submitting copy of letter sent to representative organizer of IPFTE, Local 21 regarding layoffs promulgated by the Board of Supervisors Grievance ERD Reference No. 00-04-1236. (13)

From concerned citizens, submitting opposition to proposed legislation to have the city go into the Broadband, Cable and Internet business. Approximately 100 letters (14)

From Jesse Arreguin, submitting resignation from the Skateboarding Task Force, effective October 11, 2004. (15)

From Law Offices of Stephen Williams, submitting request for continuance of public hearing of appeal of exemption from environmental review of 1730-1750 Van Ness Avenue. Copy: Each Supervisor (16)

Number not used. (17)

From Public Library, submitting the "2000 Branch Library Improvement Bond Quarterly Report" for the Second Quarter 2004, April – June. (18)

From James Chaffee, submitting letter entitled "Whatever Happened to the Library Citizens Advisory Committee?" (19)

From Rescue Muni, requesting vigilant enforcement of Muni's right of way regarding vehicles obstructing the Sacramento Street bus lanes, especially during rush hour. (20)

From Coalition for San Francisco Neighborhoods, submitting opposition to funding the implementation of Radio Frequency Identification technology at public library, and urging that the money be spent instead on more important priorities such as more books and open hours, and staffing necessary to support these priorities. Copy: Each Supervisor (21)

From City College of San Francisco, submitting addendum to the Final Environmental Impact Report for City College of San Francisco Master Plan. Copy: Supervisors Each Supervisor (22)

From Office of the Controller, submitting the financial statements report on the First Five San Francisco program, also known as San Francisco Children and Families Commission for fiscal year ended June 30, 2004. (23)

From Department of Public Health, submitting quarterly AIDS Surveillance Report. (24)

From William Bonham, submitting support for the efforts of Supervisors McGoldrick and Alioto-Pier to rein in the plans of the Presidio Trust in regard to the Public Health Services Hospital. Copy: Supervisors McGoldrick and Alioto-Pier (25)

From Abdalla Megahed, submitting copy of letter sent to Mayor Newsom regarding various subjects. (26)

From John Jenkel, commenting on various items. 2 letters (27)

From Fire Department, submitting notice that funding provided in the budget for fiscal year 2004-05 as adopted by the Board of Supervisors is adequate for the department to meet, to the best of its ability, the reduced service levels as proposed by the Board. (28)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

OCT 29 2004

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 2, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

• For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

• For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for October 5, 2004.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

1. 041341 [Accept-Expend Federal Grant]
 Supervisor Elsbernd

Resolution authorizing the Department of Child Support Services to accept and expend a grant in the amount of \$200,000 from the U.S. Department of Health and Human Services Office of Child Support Enforcement for the Enhanced Parent Involvement Collaboration.
(Child Support Services)

Question: Shall this Resolution be ADOPTED?

2. **041344** **[Develop and implement an automated immunization and reminder system in San Francisco, as part of a statewide system]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$31,686 from the California Department of Health Services (CDHS) to enable San Francisco to participate in an automated statewide immunization information system and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. **041345** **[Expand treatment capacity for homeless addicts in San Francisco through residential treatment and service coordination and add two positions]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of \$499,999 for the third year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) for the homeless addict vocational and educational network (HAVEN), to enter into an agreement for the use of these funds, and to add two new positions not included in the original grant; for the period of September 30, 2004 to September 29, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

4. **041346** **[State grant to expand homeless services to the mentally ill]**
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS) to accept retroactively and expend a grant in the amount of \$423,964 from the California Department of Mental Health (CDMH) to expand homeless services to the mentally ill; for the period of July 1, 2004, to June 30, 2005.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

5. **041249** **[Requiring Graffiti-Resistant Parking and Traffic Control Signs]**
Supervisors Dufty, Ma, Ammiano, Maxwell, Elsbernd, Alioto-Pier, Peskin, Gonzalez
Ordinance amending Article 3 of the San Francisco Traffic Code by adding Section 51 to require the Department of Parking and Traffic to (1) replace all existing parking and traffic control signs defaced by graffiti with new signs treated with graffiti-resistant sheeting, and (2) install only new parking and traffic control signs treated with graffiti-resistant sheeting.
(Fiscal impact.)

10/26/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

6. 040145 **[Zoning Map Amendment - Second Street between South Park and Townsend Streets]**
 Supervisor Daly
 Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 1H, to change the height and bulk district designations of Assessor's Block 3775, Lots 007 and 008, on the western side of Second Street between South Park and Townsend Streets from 40-X to 65-X, and adopting findings.

10/26/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 041115 **[Changing Official Width of Sidewalk - West side of Lyon Street at Chestnut Street]**
 Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1564 to change the official sidewalk width on the west side of Lyon Street at Chestnut Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.

10/26/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

8. 041242 **[Adding the Department on the Status of Women to the Justice Tracking System (JUSTIS) Committee Governance Council]**
 Supervisors Ma, Maxwell, Alioto-Pier, Dufty
 Ordinance amending San Francisco Administrative Code Section 2A.85 by adding the Department on the Status of Women as a member of the Justice Tracking System (JUSTIS) Committee Governance Council and authorizing membership to agencies that operate programs integrally related to the criminal justice system.

10/26/2004. PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Alioto-Pier

9. 041244 **[Settlement of Lawsuit - Alema Hoskins, et al.]**
 Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al.
 (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]

Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 041340 [Settlement of Lawsuits - Kevin B. Williams]

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000. (City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 041338 [Settlement of Claim - Shon Escamillo]

Resolution approving the settlement of unlitigated claim of Shon Escamillo against San Francisco for \$29,000; claims was filed on June 24, 2003. (City Attorney)

Question: Shall this Resolution be ADOPTED?

13. 041339 [Settlement of Claim - Narvette Lewis Deshay]

Resolution approving the settlement of the unlitigated claim filed by Narvette Lewis Deshay against San Francisco for \$100,000; claim was filed on October 20, 2003. (City Attorney)

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

14. 041070 [Zoning - Conditional Use for Change in Use or Demolition of a Movie Theater]
Supervisors Peskin, McGoldrick, Maxwell, Alioto-Pier, Ammiano, Elsbernd, Gonzalez, Daly
Ordinance amending the Planning Code to add Section 221.1 and to amend sections 703.2, 803.2, and
803.3 to require conditional use authorization for any project involving the change in use or
demolition of a movie theater; amending Planning Code section 303 to require specific findings as
part of a conditional use authorization for a change in use or demolition of a movie theater; making
findings of consistency with the General Plan and priority policies of the Planning Code Section
101.1; making environmental findings; and making the Ordinance inapplicable to uses for which an
environmental evaluation application was submitted on or before July 27, 2004.

10/26/2004. PASSED ON FIRST READING. Supervisors Maxwell, Alioto-Pier, Ammiano, Elsbernd, Gonzalez, and Daly
requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

15. 041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]
Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a
portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between
Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and
connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block
0313, Lot 018) and making findings of consistency with the priority policies of Planning Code
Section 101.1.
(Public Works Department)

10/26/2004. AMENDED. Amended on page 2, line 22, by replacing "even" with "event."

10/26/2004. CONTINUED AS AMENDED. Continued to November 2, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

16. 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]
Supervisors McGoldrick, Alioto-Pier, Daly
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

10/19/2004, CONTINUED. Continued to November 2, 2004

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Question: Shall this Ordinance be PASSED ON FIRST READING?

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Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

16. 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]
Supervisors McGoldrick, Alioto-Pier, Daly
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

10/19/2004, PASSED ON FIRST READING.

10/19/2004, CONTINUED. Continued to November 2, 2004

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

17. 041352 [Lease of City Property for Fair Market Value]
Supervisors Daly, Gonzalez, Peskin, Ammiano
Ordinance amending San Francisco Administrative Code Sections 23.33 and 23.34 to establish a City policy that City-owned property be leased for fair market value, unless a finding of public policy supports a below-market rate, and requiring all below-market rate leases to be reported to the Board of Supervisors and posted on the City's website, and amending San Francisco Administrative Code Section 23.32 to make certain clarifications.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 041315 [Head Start Workers]
Supervisors Ammiano, Maxwell, Sandoval, Daly
Resolution urging all employers of Head Start workers to respect workers' rights and to honor their workers' decision to join the union of their choice.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

19. 041273 [School Children Crossing Warning Signs]
Supervisors Ma, Maxwell, Dufty
Ordinance requiring all public and private parking lots and facilities, including parking lots maintained by commercial businesses, within 500 feet of Kindergarten through grade 12 school sites to post "Caution - School Children Crossing" signs at all parking lot exits.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

20. 041356 [Back Streets Business Advisory Board]

Supervisors Maxwell, Dufty

Ordinance adding Sections 5.260 through 5.265 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of nine voting members, eight appointed by the Board of Supervisors and one appointed by the Small Business Commission, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, the Small Business Commission, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses; and to provide for the sunseting of the advisory board in two years.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

21. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

22. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 23 through 39

23. 041491 **[Multifamily Housing Revenue Bonds]**
Supervisor Peskin
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$19,200,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
24. 041498 **[Accept-Expend Grant funds for the 16th Street Pavement/Valencia Street Pavement Renovation Projects]**
Supervisors Ammiano, Dufty, Daly
Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling \$5,346,000 for the 16th Street Pavement Renovation Project and the Valencia Street Pavement Renovation Project.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
25. 041499 **[Commending St. Anne's Church on its 100th Birthday]**
Supervisors Elsbernd, Gonzalez, Ma, McGoldrick, Dufty
Resolution commending St. Anne's Church on its 100th Birthday.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
26. 041500 **[Accept-Expend Federal Grant]**
Supervisors Alioto-Pier, Dufty
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$742,108 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of restructuring the existing JUSTIS architecture strategy and upgrading infrastructure components utilized for citywide criminal justice processes, that will provide criminal justice criminal justice agencies and the public, with varying degrees of criminal justice information.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

27. **041501** **[Accept-Expend Federal Grant]**
 Supervisors Ma, Dufty
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of \$599,102 from the Office of Justice Programs (OJP), Office of Violence Against Women (OVW) for the purpose of encouraging policies that treat domestic violence and sexual assault as serious violations of criminal law.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
28. **041502** **[End Racial Profiling Act of 2004]**
 Supervisor Ma
Resolution urging the San Francisco Congressional delegation to support H.R. 3847, prohibiting racial profiling.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
29. **041503** **[Raise Reward to \$50,000 for Tari Ramirez]**
 Supervisor Ma
Resolution urging the Mayor to build a citywide response to end domestic violence by raising the reward for apprehending Tari Ramirez from \$35,000 to \$50,000.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
30. **041504** **[Commending the California Lawyers for the Arts]**
 Supervisors Ma, Dufty
Resolution commending the 30th Anniversary of the California Lawyers for the Arts.
- 10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. **041439** **[Final Map for a 174 Unit Residential / Commercial Condominium Project - 199 New Montgomery Street]**
 Motion approving Final Map of 199 New Montgomery Street, A Residential / Commercial Condominium Project, being a subdivision of Lot 21 in Assessor's Block No. 3722, and adopting findings pursuant to Planning Code Section 101.1.
 (DPW Order No 175,052; District 6.)
- 10/25/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

32. 041440 [Final Map for a 114 Unit Mixed Use Condominium Project - 88 Townsend Street]
Motion approving Final Map of 88 Townsend Street, A Mixed Use Condominium Project, being a subdivision of Lot 857 in Assessor's Block No. 3789, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,064; District 6.)
- 10/25/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
33. 041505 [Setting the policy of the Board to hold meetings in each district]
Supervisor Sandoval
Motion setting the policy of the Board to convene one meeting in each of the eleven districts per month, annually.
- 10/26/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Motion be APPROVED?
34. 041506 [Commending Monroe Elementary School]
Supervisor Sandoval
Resolution commending Monroe Elementary School for winning the San Francisco Beautiful 2004 Beautification Award.
- 10/26/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
35. 041507 [United Nations Millennium Development Goals]
Supervisor Peskin
Resolution Supporting the United Nations Millennium Development Goals.
- 10/26/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
36. 041508 [Plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the GLBT Historical Society]
Supervisors Dufty, Ammiano, Maxwell, Ma, Alioto-Pier, Gonzalez, Daly, Peskin, Elsbernd
Resolution encouraging development of a plan and community engagement for a possible co-located Eureka Valley Harvey Milk Memorial Branch Library and Museum and Archives of the Gay, Lesbian, Bisexual, Transgender (GLBT) Historical Society.
- 10/26/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

37. 041509 [Zoning - Extension of Planning Commission Review Period]**Supervisor Peskin**

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to prohibit formula retail uses in the North Beach Neighborhood Commercial District.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 041485 [Needle Exchange Emergency]**Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 041486 [Emergency Declaration Concurrence - Influenza Vaccine]**Mayor, Supervisor Dufty**

Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

10/26/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference

Agenda: _____

40. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from October 19, 2004 through October 25, 2004, for reference by President to appropriate committee on November 2, 2004.

041442 [Settlement of Lawsuit - Andrew King v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court, Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al.
(City Attorney)

10/25/2004. RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions from October 19, 2004 through October 25, 2004, for reference by President to appropriate committee on November 2, 2004.

**041431 [Provide car seats and information to hard to reach and diverse communities]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively a grant in the amount of \$2,000 from the California Department of Health Services (CDHS), to purchase car/booster seats; for the period of January 12, 2004 through June 4, 2004.
(Public Health Department)

10/21/2004. RECEIVED AND ASSIGNED to City Services Committee.

**041432 [Accept-Expend Federal Grant]
Supervisor Ma**

Resolution authorizing the San Francisco Fire Department (SFFD) to accept and expend a grant in the amount of \$398,548 from the Federal Emergency Management Agency (FEMA) to acquire wildland firefighting protective clothing and equipment.
(Fire Department)

10/19/2004. RECEIVED AND ASSIGNED to City Services Committee. Grant expiration date: 7-29-05.

- 041441** [Approval of the Substance Abuse and Crime Prevention Act of 2000 – Implementation Plan]
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2004-2005.
(Public Works Department)

10/22/2004, RECEIVED AND ASSIGNED to City Services Committee.

- 041443** [Settlement of Claim - Barbara Miller]
Resolution approving the settlement of the unlitigated claim filed by Barbara Miller against San Francisco for \$90,000; claim was filed on April 19, 2004.
(City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 041444** [Settlement of Unlitigated Claim - Margaret Jhin-Walsh]
Resolution approving the settlement of the unlitigated claim filed by Margaret Jhin-Walsh against San Francisco for \$120,000; claim was filed on February 17, 2004.
(City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 041480** [Settlement of Unlitigated Claim - D. W. Nicholson Corporation]
Supervisor Daly
Resolution approving the settlement of the unlitigated claim filed by D. W. Nicholson Corporation against the City and County of San Francisco.
(City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 041525** [Settlement of Unlitigated Claim - Muzak LLC]
Resolution approving the settlement of the unlitigated claim filed by Muzak LLC against the City and County of San Francisco.
(City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

- 041526** [Settlement of Unlitigated Claim - Intel Corporation]
Resolution approving the settlement of the unlitigated claim filed by Intel Corporation against the City and County of San Francisco.
(City Attorney)

10/25/2004, RECEIVED AND ASSIGNED to Rules Committee.

041528 [Petitions and Communications]

Petitions and Communications received from October 19, 2004 through October 25, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 2, 2004.

From Municipal Railway, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Chevron USA for fuel and gasoline. (1)

From Department of Public Works, concerning permit for the reconstruction of the sidewalk steps at 153 Bronte Street with the completion of proposed driveway. (2)

From concerned citizens, submitting opposition to proposed legislation that gives preference in the condominium lottery to buildings where certain evictions have not taken place. File 041353, approximately 100 letters (3)

From Terry Tamminen, regarding Governor Schwarzenegger's new Ocean Action Plan. (4)

From Supervisor Alioto-Pier, submitting resignation as a member of the Golden Gate Bridge Highway and Transportation District. (5)

From Clerk of the Board, submitting quarterly report of the Annual Appropriation Ordinance as required by Section 24. (6)

From the Association of Asian American Attorneys and CPA Firms, submitting support for proposal by the Coalition for Economic Equity for the enactment of an ordinance to replace Article 14A of the Administrative Code. File 041112 (7)

From Department of Parking and Traffic, concerning the feasibility of installing traffic calming measures and/or installing additional Stop signs at the intersection of Persia and Ocean Avenues. (8)

From Department of Elections, submitting a list of parking areas that will be reserved for the Department of Elections on Election Day. Copy: Each Supervisor (9)

From Coalition for Economic Equity, submitting proposed legislation to replace Administrative Code Chapter 12D, the City's affirmative action program for contracting that was recently invalidated. Copy: Each Supervisor (10)

From Real Estate Division, submitting an appraisal for 220 Jones Street, as requested by the Board of Supervisors in Resolution No. 457-04. File 040889 (11)

From the Immigrant Rights Commission, submitting resolution urging the Police Commission to take all appropriate measures to ensure the highest level of communication, understanding, and cooperation between the Police Department and the immigrant residents and communities in San Francisco. Copy: Each Supervisor (12)

From Lloyd Schloegel, submitting petition to place a child in a foster home. (13)

From Community United Against Violence, encouraging individuals and community groups to show their support for the survivors of a hate crime by attending the sentencing of Brian Kirchner at the Hall of Justice on October 25, 2004. (14)

From concerned citizens, submitting opposition to proposed legislation to have the city go into the Broadband, Cable and Internet business. 2 letters (15)

From Anne O'Leary, commenting how upset she is with the recent closure of Waller Street from Kezar to Stanyan that has had the affect of rerouting much of the through traffic to Frederick Street.

(16)

From Lisa Ryers, regarding the spike in muggings in broad daylight around the area of Connecticut and 22nd Street. Copy: Supervisor Maxwell (17)

From Andy Moore, submitting his plan to create hundreds of new parking spaces in San Francisco by creating an on-line "private parking registry" whereby homes or businesses with extra parking spaces or driveways available at certain hours could register their availability on-line. Copy: Each Supervisor (18)

From the Chu Family, submitting opposition to allowing the Evergreen Lodge to take over the Camp Mather Corral. (19)

From Budget Analyst, submitting Management Audit of the Public Utilities Commission Clean Water Fund. File 041362 (20)

From David Schneider, submitting support to acquire the 80 Natoma Street property to build a new Transbay Transit Terminal. File 041079 (21)

From Youth Commission, submitting the Youth Commission's position on several pieces of proposed legislation by the Board of Supervisors. (22)

From Arlene Segraves, submitting her concern with the stance Recreation and Park is taking against the Men's and Women's Harding Park Golf Clubs. (23)

From San Francisco Beautiful, submitting newsletter for fall 2004. (24)

From Bill Fontana, submitting opposition to proposed closure of a portion of 14th Avenue and 15th Avenue at the intersection of the Presidio. File 041269, Copy: Land Use Committee (25)

From Joseph Morales & Patricia Blanchette, submitting complaint against the citation, hearing and residential permits staff of the Department of Parking and Traffic at 1380 Howard Street for alleged incompetence. (26)

From Office of the Controller, submitting audit report regarding the lease between Allright Cal. Inc. (now Central Parking System) and the Port of San Francisco. 2 Reports (27)

From Redevelopment Agency, regarding preservation issues at the Emporium site project. (Reference No. 20040817-006) Copy: Supervisor Peskin (28)

From Department of Elections, submitting "Ranked-Choice Voting Update #11" reporting of election results for contests with ranked-choice voting, which will be used for the first time for the November 2, 2004 election. Copy: Each Supervisor (29)

From S.F. General Hospital, responding to inquiry regarding types of food or beverage products purchased by S.F. General Hospital. Copy: Supervisor Peskin (30)

From Recreation and Park Department, submitting their Efficiency Plan for fiscal year 2004/05. (31)

From Denise D'Anne, commenting on the proposed "pedestrian oasis" in the Golden Gate Park Concourse. (32)

From concerned citizens, urging the Board of Supervisors to provide San Franciscans the Laguna Honda Hospital they were promised. 2 letters (33)

From concerned citizens, regarding the traffic congestion impact of closing several streets in the Richmond District on October 24, 2004 for the Nike Marathon. 2 letters (34)

From Glen Murry, commenting on the Board of Supervisors involvement with the current hotel strike. (35)

From State Integrated Waste Management Board, submitting notice of funds available through tire grant programs to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping and promote markets for recycled-content tire products. (36)

APPOINTMENTS BY THE MAYOR

Fire Commission

Steve Nakajo

Environment Commission

Alan Mok

Recreation and Park Commission

Tom Harrison

Megan Levitan

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Tuesday, November 16, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for October 19, 2004

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Dufty, Elsbernd

1. 041100 [Liquor License Transfer, 119 Sacramento Street]
Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 38th and Clement Golf Course to 119 Sacramento Street (District 3) to David D. Davari for Focaccia Market and Bakery will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

2. 041305 [Liquor License, 965 Mission Street, Suite 160]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Steve Kahn, for Fronterra LLC at the Off-Market Theaters, located at 965 Mission Street, Suite 160 (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Dufty, Ma, Elsbernd

**3. 041431 [Provide car seats and information to hard to reach and diverse communities]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFPDH) to accept and expend retroactively a grant in the amount of \$2,000 from the California Department of Health Services (CDHS), to purchase car/booster seats; for the period of January 12, 2004 through January 30, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

**4. 041432 [Accept-Expend Federal Grant]
Supervisor Ma**

Resolution authorizing the San Francisco Fire Department (SFFD) to accept and expend a grant in the amount of \$398,548 from the Federal Emergency Management Agency (FEMA) to acquire wildland firefighting protective clothing and equipment.
(Fire Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

**5. 041352 [Lease of City Property for Fair Market Value]
Supervisors Daly, Gonzalez, Peskin, Ammiano, Elsbernd, Ma**

Ordinance amending San Francisco Administrative Code Sections 23.33 and 23.34 to establish a City policy that City-owned property be leased for fair market value, unless a finding of public policy supports a below-market rate, and requiring all below-market rate leases to be reported to the Board of Supervisors and posted on the City's website, and amending San Francisco Administrative Code Section 23.32 to make certain clarifications.

11/2/2004, PASSED ON FIRST READING. Supervisors Ammiano, Elsbernd and Ma requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

6. 041273 [School Children Crossing Warning Signs]
Supervisors Ma, Maxwell, Dufty, Ammiano, Elsbernd
Ordinance requiring all public and private parking lots and facilities, including parking lots maintained by commercial businesses, within 500 feet of Kindergarten through grade 12 school sites to post "Caution - School Children Crossing" signs at all parking lot exits.

11/2/2004, PASSED ON FIRST READING. Supervisors Ammiano and Elsbernd requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

7. 041356 [Back Streets Business Advisory Board]
Supervisors Maxwell, Dufty, Ammiano, Ma
Ordinance adding Sections 5.260 through 5.265 of the Administrative Code, to create a Back Streets Business Advisory Board, comprised of nine voting members, eight appointed by the Board of Supervisors and one appointed by the Small Business Commission, and non-voting members representing various organs of government; to require the advisory board within nine months of its initial meeting to submit a report to the Board of Supervisors on matters pertaining to Back Streets businesses; to require the Board of Supervisors or a Board committee to hold a hearing on the report; to authorize the advisory board to submit other reports to the Board of Supervisors and to communicate with the Board of Supervisors, the Small Business Commission, other governmental entities, the business community, and the public on matters pertaining to Back Streets businesses; and to provide for the sunseting of the advisory board in two years.

11/2/2004, PASSED ON FIRST READING. Supervisors Ammiano and Ma requested to be added as co-sponsors.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, Alioto-Pier

8. 041244 [Settlement of Lawsuit - Alema Hoskins, et al.]
Ordinance authorizing settlement of the lawsuit filed by Alema Hoskins, a minor, by and through her guardian, Susie McAllister and Jeanell Harris, a minor, by and through her guardian, Inell Manuel against the City and County of San Francisco for \$108,000; the lawsuit was filed on January 17, 2003 in San Francisco Superior Court, Case No 416-515; entitled Alema Hoskins, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/2/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 041250 [Settlement of Lawsuit - Mehran Esmaili, et al.]

Ordinance authorizing settlement of the lawsuit filed by Mehran Esmaili, et al., against the City and County of San Francisco for \$49,500; the lawsuit was filed on September 23, 1999, in Santa Clara County Superior Court, Case No. 1-02-CV805070; entitled Mehran Esmaili, et al. v. City of Millbrae, et al.; other material terms of said settlement are: (1) Each party shall mutually release the other from all claims arising from the February/March 2000 landslide that forms the basis of the action; (2) Each party shall dismiss with prejudice all complaints and cross-complaints filed in the action; and (3) Each party shall bear its own legal costs and fees;

11/2/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 041340 [Settlement of Lawsuits - Kevin B. Williams]

Ordinance authorizing settlement of the following lawsuits filed by Kevin B. Williams against the City and County of San Francisco: (1) lawsuit filed on or about December 2000 in United States District Court for the Northern District of California, Case No. C00-4728 SI, entitled Kevin Williams v. City and County of San Francisco, et al.; (2) lawsuit filed on or about December 2003 in San Francisco Superior Court, Case No. 503990, entitled Kevin Williams v. City and County of San Francisco; (3) lawsuit filed on or about September 2002 in San Francisco Superior Court, Case No. 411914; entitled Kevin Williams, on behalf of the City and County of San Francisco and himself v. Tutor Saliba, Inc., et al.; material terms of the settlement are that plaintiff dismisses all lawsuits with prejudice, that plaintiff resigns from City employment and forgoes future City employment, that City pays to plaintiff the amount of \$120,000, of which approximately \$71,243.68 is intended to make up a retirement account shortfall, and that Federal Magistrate Judge is to decide amount of attorneys' fees and costs, based on motion by plaintiff's attorneys, in an amount not to exceed \$280,000. (City Attorney)

11/2/2004, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Finance and Audits Committee "Without Recommendation"

Present: Supervisors Daly, Peskin, Ammiano

11. 040973 [Official Advertising - Type 2 non-consecutive day official advertising]
Resolution designating the San Francisco Chronicle to be the official newspaper of the City and County of San Francisco for the category of Type 2 non-consecutive day official advertising, for the period commencing July 1, 2004 and ending June 30, 2005.
(Purchaser)

7/27/2004, RE-REFERRED to Finance and Audits Committee.

8/17/2004, CONTINUED. Continued to September 14, 2004

9/14/2004, CONTINUED. Continued to November 16, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

12. 041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]
Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.
(Public Works Department)

10/26/2004, AMENDED. Amended on page 2, line 22, by replacing "even" with "event."

10/26/2004, CONTINUED AS AMENDED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to November 16, 2004

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

13. 041308 [Regulating the Distribution of Handbills]

Supervisor Ma

Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, amending section 184.74 to permit the City to recover costs incurred in cleaning up handbills distributed in violation of the ordinance and to impose civil penalties for violations, and by renumbering sections 184.71 through 184.77.

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 041129 [Liquor License Transfer, Northeast Corner of Broderick and Oak Streets]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 2055 McAllister to the Northeast corner of Broderick and Oak Streets (District 5) to James L. Falletti for Falletti & Baldocchi Finer Foods, Inc., dba Falletti Foods, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.
2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).
3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.
4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.
5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.

19. 041199 [Public Hearing - Appeal of Categorical Exemption - 2404 Broadway Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2004, Case No. 2004.0406E, approving the proposed project to vertically and horizontally expand an existing three-story-over-basement Colonial Revival house located at 2404 Broadway Street, Assessor's Block 562, Lot 4. (Appellants: Suzanne and Francoise Antounian, represented by their attorneys, G. Scott Emblidge and Rebecca Bedwell-Coll of Moscone, Emblidge & Quadra, LLP.) (Filed August 18, 2004; companion measure to Files 041200, 041201, 0411202; District 3.)

9/14/2004, CONTINUED. Continued to September 28, 2004

9/28/2004, CONTINUED. Continued to November 16, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

20. 041200 **[Affirming the categorical exemption issued for 2404 Broadway Street]**
Motion affirming the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 9/14/2004, CONTINUED. Continued to September 28, 2004
9/28/2004, CONTINUED. Continued to November 16, 2004
Question: Shall this Motion be APPROVED?
21. 041201 **[Disapproving the categorical exemption issued for 2404 Broadway Street]**
Motion disapproving the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 9/14/2004, CONTINUED. Continued to September 28, 2004
9/28/2004, CONTINUED. Continued to November 16, 2004
Question: Shall this Motion be APPROVED?
22. 041202 **[Preparation of findings related to the categorical exemption issued for 2404 Broadway Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California environmental Quality Act.
(Clerk of the Board)
- 9/14/2004, CONTINUED. Continued to September 28, 2004
9/28/2004, CONTINUED. Continued to November 16, 2004
Question: Shall this Motion be APPROVED?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

29. 041552 [Legislative Analyst Request - Establishing a Sports Commission in the City and County of San Francisco]
Supervisor Ma
Motion requesting the Legislative Analyst to research and prepare an in-depth report on model municipalities with respect to establishing a Sports Commission in the City and County of San Francisco.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 through 39

30. 041557 [Commending Jack Breslin]
 Supervisor Dufty
 Resolution commending Jack Breslin of the Department of Public Health for his 33 years of service to the City of San Francisco.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
31. 041559 [Zoning - Extension of Planning Commission Review Period]
 Supervisor Elsbernd
 Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code to provide for an increase in the height exemption for elevator penthouses from 10 feet to 16 feet.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
32. 041560 [American Indian Heritage Month]
 Supervisor Ma
 Resolution declaring November 2004 as "American Indian Heritage Month" in the City and County of San Francisco.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
33. 041561 [Apply, accept and expend of a State grant for the Visitacion Valley Greenway]
 Supervisor Maxwell
 Resolution authorizing the Recreation and Park Department to apply, accept and expend a grant in the total amount of \$102,000 under the Federal Land and Water Conservation Fund for the Visitacion Valley Greenway.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

34. 041530 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
35. 041531 **[Emergency Declaration Concurrence - Influenza Vaccine]**
Mayor
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
36. 041546 **[Emergency Disadvantaged Business Enterprise Program - Suspending 30 Day Rule]**
Supervisor Ammiano
Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, a proposed emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
37. 041547 **[Emergency Disadvantaged Business Enterprise Program - November 23 Committee of the Whole]**
Supervisor Ammiano
Motion for the Board of Supervisors to convene as a committee of the whole on November 23, 2004, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
38. 041558 **[Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection]**
Supervisor Dufty
Motion requesting the Controller to provide bi-monthly updates on progress implementing the City's ordinance requiring bar-coding or other means to track the permit approval process with the Department of Building Inspection.
- 11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

39. 041562 [Report for Interim Moratorium on Demolition of Single-and Dual-Screen Movie Theaters]
 Supervisor McGoldrick

Motion adopting and issuing the Legislative Analyst report concerning the Board's urgency Ordinance that imposed a 45-day interim moratorium on demolition on single-and dual-screen movie theaters.

11/2/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

40. **IMPERATIVE AGENDA**

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from October 26, 2004 through November 8, 2004, for reference by President to appropriate committee on November 16, 2004.

- 041484 [Settlement of the Lawsuit - Pamela Nash]
Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.

11/1/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 26, 2004 through November 8, 2004, for reference by President to appropriate committee on November 16, 2004.

- 041510 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.
- STOP SIGNS - ESTABLISH
Sussex Street and Swiss Avenue, stopping Swiss Avenue at Sussex Street, making this uncontrolled intersection a two-way STOP;
Beulah and Shrader Streets, stopping Shrader Street at Beulah Street, making this intersection an All-Way STOP;
Broderick and Francisco Streets, stopping Broderick Street at Francisco Street, making this intersection an All-Way STOP; and
Cross and Pope Streets, stopping Pope Street at Cross Street and Cross Street at Pope Street, making this uncontrolled T-intersection an All-Way STOP.
(Parking and Traffic Department)
- (10-26-04: categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2895.)

10/27/2004, RECEIVED AND ASSIGNED to Land Use Committee.

- 041512 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP) (AIP 26 - Project No.3-06-0221-26) and (AIP 27 - Project No. 3-06-0221-27)]
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$14,957,719 from the Federal Aviation Administration: \$13,397,719 to be expended on Airport standard and security improvements (A.I.P 26, Project No. 3-06-0221-26); and \$1,560,000 for Airport noise improvements (A.I.P 27, Project No. 3-06-0221-27).
(Airport Commission)

10/27/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041514 [Settlement of Claim - Jon Wesley Hopkins]

Resolution approving the settlement of the unlitigated claim filed by Jon Wesley Hopkins against San Francisco for \$35,000; claim was filed on August 4, 2004.
(City Attorney)

11/4/2004, RECEIVED AND ASSIGNED to Rules Committee.

**041515 [Provide children's dental disease prevention services in San Francisco]
Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$30,429 from the California Department of Health Services (CDHS) to provide dental disease prevention services to children in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005.
(Public Health Department)

11/5/2004, RECEIVED AND ASSIGNED to City Services Committee.

041516 [Issue 32 and 33 Refunding Bond Sale Resolutions, Swap Resolution and Twelfth Supplemental Resolution]

Resolution approving the issuance of up to \$875,000,000 additional aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; Approving the sale of San Francisco International Airport second series revenue refunding bonds through December 31, 2007; Approving the maximum interest rate, notional amount and term of interest rate swap transactions; Approving the forms of certain documents relating to interest rate swap transactions and authorizing the execution and delivery thereof; Approving and authorizing the use of Airport Commercial paper to pay swap termination payments and costs of issuance; Approving the forms of certain documents relating to San Francisco International Airport second series variable rate revenue bonds and authorizing the execution and delivery thereof; Approving and authorizing the use of Airport commercial paper to pay swap termination payments and costs of issuance; Approving the forms of certain documents relating to San Francisco International Airport second series variable rate revenue bonds and authorizing the execution and delivery thereof; Approving certain amendments to the 1991 Master Resolution; and related matters.

11/5/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041517 [Prevailing wage rates for workers on public works and improvement projects, workers performing janitorial services, workers in public off-street parking lots, garages, or storage facilities for automobiles, and workers performing moving services]

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; and (4) workers performing moving services under City contracts at facilities owned or leased by the City.
(City Attorney)

11/5/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041518 [Sprint Spectrum, L.P. Transmitter Lease]

Resolution authorizing and approving a lease of cellular transmitter and antennae space at the Health Center Four to Sprint Spectrum, L.P., a Delaware limited partnership.
(Real Estate Department)

11/8/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041519 [Develop a supplemental HIV/AIDS surveillance system to produce population-based estimates of the characteristics of persons with HIV infection in San Francisco and the care they receive, and add two new position]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$267,880 from the Centers for Disease Control and Prevention (CDC) to develop a supplemental HIV/AIDS morbidity and risk surveillance system, to enter into an agreement for the use of these funds, and to add two new positions; for the period of September 1, 2004, to May 31, 2005.
(Public Health Department)

11/8/2004, RECEIVED AND ASSIGNED to City Services Committee.

041603 [Petitions and Communications]

Petitions and Communications received from October 26, 2004 through November 8, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 16, 2004.

From Office of the Legislative Analyst, submitting report describing the measures taken to alleviate the condition that led to the adoption of the Interim Ordinance on Demolition of Single and Dual Screen Movie Theaters. File 041137 (1)

From Civil Service Commission, submitting 2004 Efficiency Plan for the Civil Service Commission. (2)

From Assistant Clerk of the Board, submitting a follow-up report on the 2003-04 Civil Grand Jury Report Community Schools: Poor Stepchildren of the San Francisco Unified School District. (3)

From Assistant Clerk of the Board, submitting a follow-up report on the 2003-04 Civil Grand Jury Report entitled "The More Things Change, The More they Stay The Same." (4)

From Assistant Clerk of the Board, submitting a follow-up report on the 2003-04 Civil Grand Jury Report San Francisco Sheriff's Department: Incarceration and Beyond. (5)

From Assistant Clerk of the Board, submitting a follow-up report on the 2003-04 Civil Grand Jury Report San Francisco Sheriff's Department Grievances: A Solution, in accordance with Penal Code Section 933 and Administrative Code Section 2.10. (6)

From Central City Progressives, submitting opposition to any funding or implementation of RFID technology at the San Francisco Public Library, and urging that the money be spent on more books and open hours, and staffing necessary to support these priorities. (7)

From Ethics Commission, submitting 2004-05 Efficiency Plan for the Ethics Commission (8)

From Department of Administrative Services, submitting quarterly report pursuant to Annual Appropriation Section 23. (9)

From Planning Department, submitting Certificate of Determination for proposed Fillmore Street Alcohol Restricted Use District, between Golden Gate Avenue and Post Street. File 041281, Copy: Land Use Committee (10)

From Department of Elections, submitting memo regarding an overview of plans for distributing unvoted ballot cards, transporting and processing voted ballot cards, and reporting on election results for the November 2, 2004 Consolidated General Election. Copy: Each Supervisor (11)

From Office of the Controller, submitting two reports concerning the financial audit of the Statement of Cash and Investments as of June 30, 2004 and the financial activities of the Office of the Treasurer and Tax Collector for the fiscal year ended June 30, 2004. (12)

From Office of the Controller, submitting two reports concerning the review of franchise fee payments made by Comcast Corporation. (13)

From Department of Public Works, submitting quarterly report of the Department of Public Works Defective Sidewalk Repair Revolving Account for the period July 1, 2004 through September 30, 2004. (14)

From Senate Rules Committee, submitting appointment of Jackalyn Pfannenstiel of Piedmont as a member of the State Energy Resources Conservation and Development Commission. (15)

From the Residential Rent Stabilization and Arbitration Board, submitting the annual statistical report for fiscal year 2003-04. (16)

From concerned citizens, urging the Board of Supervisors to do more to attract jobs and businesses to San Francisco. 5 letters (17)

From Denise D'Anne, urging the Board to hold a special hearing on the widening of the roadway into the Golden Gate Music Concourse from 9th Avenue. (18)

From James Chaffee, regarding the selection of a City Librarian by the Library Commission. Copy: Each Supervisor (19)

From Disability Rights Enforcement and Education Services, submitting notice of meeting on how to do an ADA accessibility survey on November 10, 2004 at 2230 Shattuck Avenue, Berkeley from 11:00 a.m. to 3:00 p.m. (20)

From Kevin McGee, submitting support for proposed interim zoning controls for lower Potrero Hill while mandating a one-year timeline for the Planning Department to establish permanent zoning controls for the area. File 041393, Copy: Land Use Committee (21)

From State Department of Alcoholic Beverage Control, submitting applications taken for alcoholic beverage licenses. (22)

From Patrick Monette-Shaw, requesting the Citizen's General Obligation Bond Oversight Committee conduct an investigation into the potentially unauthorized use of tobacco settlement revenues dedicated for the rebuild of Laguna Honda Hospital and Rehabilitation Center by the Office of the Mayor and the Board of Supervisors. Copy: Each Supervisor (23)

From Peter Warfield, regarding the Sunshine Ordinance Task Force sending the Public Library violations related to "Radio Frequency Identification Technology" to the District Attorney and the Ethics Commission. (24)

From Alfredo Marchetti, urging the Board of Supervisors to consider noise abatement measures to help improve the quality of life of residents of Rincon Hill. Copy: Supervisor Daly (25)

From Department of Parking and Traffic, regarding the feasibility of distributing guest-parking permits upon approval of residential parking permit applications in neighborhoods throughout the City. Copy: Supervisor Elsbernd (26)

From Clerk of the Board, responding to inquiry regarding types of food or beverage products purchased by the Board of Supervisors/Clerk of the Board. (Reference No. 20040914-065) Copy: Supervisor Peskin (27)

From the Port, responding to inquiry regarding types of food or beverage products purchased by the Port of San Francisco. (Reference No. 20040914-039) Copy: Supervisor Peskin (28)

From Department of the Aging and Adult Services, responding to inquiry regarding types of food or beverage products purchased by the Department of the Aging and Adult Services. (Reference No. 20040914-034) Copy: Supervisor Peskin (29)

From the Asian Art Museum, responding to inquiry regarding types of food or beverage products purchased by the Asian Art Museum. (Reference No. 20040914-059) Copy: Supervisor Peskin (30)

From Department of Administrative Services, responding to inquiry regarding types of food or beverage products purchased by the Department of Administrative Services. (Reference No. 20040914-060) Copy: Supervisor Peskin (31)

From Department of Public Works, responding to Phase I Management Audit of the Clean Water Enterprise Fund prepared by the Board of Supervisors Budget Analyst Office. Copy: Finance Committee, Budget Analyst (32)

From Recreation and Park Department, submitting report for the 1st quarter of fiscal year 2004-05 in response to the requirements of Resolution 157-99 regarding Lead Poisoning Prevention. File 992161 (33)

From Mayor's Office of Community Development, submitting request for release of \$1,832,773 in previously reserved CDBG funds per Resolution 90-99, 324-01, 285-02 & 288-04. (34)

From Older Women's League, submitting opposition to the deletion of five bus stops in the Tenderloin area of the #38 bus line. (35)

From SF Unified School District, submitting proposal for in-kind services that could be provided to the District by the City to further the educational goals and operations of the District through the Public Education Enrichment Fund. (36)

From Public Utilities Commission, submitting the 2004 Efficiency Plan for the Public Utilities Commission. (37)

From Office of the Mayor, submitting the 2004 Efficiency Plan for the Office of the Mayor. (38)

From Human Rights Commission, responding to inquiry regarding types of food or beverage products purchased by the Human Rights Commission. (Reference No. 20040914-017) Copy: Supervisor Peskin (39)

From the Port, submitting list of contracts, including prospective contracts and whether the contractors use employees and/or subcontractors located outside the United States. (Reference No. 20040727048) Copy: Supervisor McGoldrick (40)

From Office of the Treasurer and Tax Collector, responding to inquiry regarding types of food or beverage products purchased by the Office of the Treasurer and Tax Collector. (Reference No. 20040914-020) Copy: Supervisor Peskin (41)

From the Adult Probation Department, submitting the 2004-05 Efficiency Plan for the Adult Probation Department. (42)

From Controller, submitting the 2004-05 Efficiency Plan for the Office of the Controller. (43)

From Department on the Status of Women, submitting the revised 2004-05 Efficiency Plan for the Department on the Status of Women. (44)

From Residential Rent Stabilization and Arbitration Board, submitting the 2004-05 Efficiency Plan for the Residential Rent Stabilization and Arbitration Board. (45)

From Controller, submitting report concerning the financial statement audit of the Mentally Ill Offender Crime Reduction Grant II of the Office of the Sheriff for the period of July 1, 2001 through June 30, 2004. (46)

From Department of Administrative Services, submitting the 2004-05 Efficiency Plan for the Department of Administrative Services. (47)

From Public Library, submitting the 2004-05 Efficiency Plan for the Public Library. (48)

From Fire Department, submitting the 2004-05 Efficiency Plan for the Fire Department. (49)

From S.F. Human Services Agency, submitting the 2004-05 Efficiency Plan for the S.F. Human Services Agency. (50)

From concerned citizens, submitting opposition to putting a dog run at Grattan Playground. File 041464. Copy: Each Supervisor (51)

From S.F. International Airport, submitting the 2004-05 Efficiency Plan for S.F. International Airport. (52)

From Department of Building Inspection, submitting the 2004-05 Efficiency Plan for Department of Building Inspection. (53)

From Port, submitting the 2004-05 Efficiency Plan for the Port. (54)

From War Memorial and Performing Arts Center, submitting the 2004-05 Efficiency Plan for the War Memorial and Performing Arts Center. (55)

From Department of Telecommunications and Information Services, responding to inquiry regarding types of food or beverage products purchased by the Department of Telecommunications and Information Services. (Reference No. 20040914-061) Copy: Supervisor Peskin (56)

From Office of the City Administrator, submitting copy of notice of intent to award contract for the operation of the San Francisco Day Laborer Program to La Raza Centro Legal, Inc. Copy: Each Supervisor (57)

From Department of Human Services, submitting quarterly update for the Human Services Care Fund. (58)

From Fire Department, submitting eleven copies of the 2004-05 Efficiency Plan for the Fire Department for members of the Board of Supervisors. (59)

From Department of Child Support Services, submitting the Efficiency Plan for the Department of Child Support Services for fiscal year 2003 through 2006 and an update for fiscal year 2004-05. (60)

From Office of the Treasurer, submitting computer printouts detailing the City's investment portfolios under management. (61)

From Department of Human Resources, submitting lists of economic grievance settlements approved pursuant to Section 10.25-12 of the Administrative Code for the quarter July 1, 2004 through September 30, 2004. (62)

From State Department of Social Services, submitting notice within the next 90 days the State Department of Social Services will be distributing Kids Plate revenue for SFY 2003-04. (63)

From Art Commission, responding to inquiry regarding types of food or beverage products purchased by the Art Commission. (Reference No. 20040914-025) Copy: Supervisor Peskin (64)

From Office of the Treasurer and Tax Collector, submitting the Bureau of Delinquent Revenue for the quarter period July 1, 2004 through September 30, 2004. (65)

From Superintendent of Schools, submitting proposal for in-kind services that could be provided to the District by the City to further the educational goals and operations of the District through the Public Education Enrichment Fund. Copy: Each Supervisor (66)

From Department of Public Works, regarding implementing the recommendations set forth in the Director of Health's Report on the Comprehensive Environmental Lead Poisoning Prevention Program dated December 2, 2003. File 041376, Copy: Each Supervisor (67)

From Recreation and Park Department, regarding the feasibility of installing emergency call boxes on Mansell Road in McLaren Park. (Reference No. 20041005-005) Copy: Supervisor Sandoval, 2 letters (68)

From concerned citizens, submitting opposition to proposal to cut branch library hours on Saturdays. 3 letters (69)

From Department of Parking and Traffic, regarding request for an evaluation of the availability of disabled parking spaces in the vicinity of the Ferry Building. Copy: Supervisor Duffy (70)

From concerned citizens, submitting opposition to proposal to change condo conversion rules for 2 unit buildings. File 041353, Copy: Each Supervisor (71)

From Sharon Starr, requesting the Board urge the Recreation and Park Department keep St. Mary's Dog Park open during the winter. Copy: Supervisor McGoldrick (72)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 23, 2004 2:00 PM

NOV 19 2004
SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvr

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynn

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:30 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia del viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

· For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Minutes for October 26, 2004

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 16

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

1. 041452 [Airport Concession Lease - "F" Newsstand]
Resolution approving the Boarding Area "F" Newsstand Lease between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

2. 041453 [Airport Concession Lease - Terminal 3 Newsstands]
Resolution approving the Terminal 3 Newsstands Lease - A Disadvantaged Business Enterprise Set-Aside between Soto & Sanchez Investments, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

3. **041454** **[Accept-Expend Federal Grant - SmartCatch Project]**
Resolution authorizing the Airport Commission to accept and expend a grant in the amount of \$518,266.00 from the Transportation Security Administration to develop, test, and apply real-time automated video surveillance technologies.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

4. **041566** **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Margaret Jerene, term ending December 31, 2004, to the Child Care Planning Advisory Council.
Margaret Jerene, succeeding Gwendolyn Henry, resigned, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a two-year term ending December 31, 2004.

Question: Shall this Resolution be ADOPTED?

5. **041567** **[Appointment - Child Care Planning and Advisory Council]**
Resolution appointing Margaret Jerene, term ending December 31, 2007, to the Child Care Planning Advisory Council.
Margaret Jerene, succeeding herself, term expiring December 31, 2004, seat 1, must be a nominee of District 1 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for a three-year term ending December 31, 2007.

Question: Shall this Resolution be ADOPTED?

6. **041189** **[Settlement of Bankruptcy Claims Dispute, In re METROMEDIA FIBER NETWORK, INC]**
Supervisor Maxwell
Ordinance authorizing settlement at 75% of face value of disputed bankruptcy creditor claims filed by the City and County of San Francisco against Chapter 11 Debtors, In re METROMEDIA FIBER NETWORK, INC., et al., Chapter 11, Case Nos. 02-22736 (ASH) through 02-22742 (ASH), 02-22744 (ASH) through 02-22746 (ASH), 02-22749 (ASH), and 02-22751 (ASH) through 02-22754 (ASH) (Jointly Administered), (U. S. Bankruptcy Court, Southern District of New York), and directing attorney for Tax Collector to effectuate settlement.

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 041388 **[Settlement of Lawsuit - Turlock Irrigation District]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 041427 **[Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 041437 **[Partial Settlement of Lawsuit - Eugene Kalinin, et al.]**
Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 041442 **[Settlement of Lawsuit - Andrew King v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court, Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 041443 **[Settlement of Claim - Barbara Miller]**
Resolution approving the settlement of the unlitigated claim filed by Barbara Miller against San Francisco for \$90,000; claim was filed on April 19, 2004.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

12. 041444 [Settlement of Unlitigated Claim - Margaret Jhin-Walsh]
Resolution approving the settlement of the unlitigated claim filed by Margaret Jhin-Walsh against San Francisco for \$120,000; claim was filed on February 17, 2004.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

13. 041480 [Settlement of Unlitigated Claim - D. W. Nicholson Corporation]
Supervisor Daly
Resolution approving the settlement of the unlitigated claim filed by D. W. Nicholson Corporation against the City and County of San Francisco.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

14. 041525 [Settlement of Unlitigated Claim - Muzak LLC]
Resolution approving the settlement of the unlitigated claim filed by Muzak LLC against the City and County of San Francisco.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

15. 041526 [Settlement of Unlitigated Claim - Intel Corporation]
Resolution approving the settlement of the unlitigated claim filed by Intel Corporation against the City and County of San Francisco.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

16. 041551 [Settlement of Lawsuit - People v. Dynegy, et al.]
Supervisor Maxwell
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Duke Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California, Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; the settlement provides \$500,000 to San Francisco to be used for energy efficiency, renewable energy or environmental justice projects in areas affected by electric generation in San Francisco and \$172 million in benefits to California electric ratepayers, among other provisions.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Duffy, Ma, Elsbernd

17. 041308 [Regulating the Distribution of Handbills]
Supervisor Ma

Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, amending section 184.74 to permit the City to recover costs incurred in cleaning up handbills distributed in violation of the ordinance and to impose civil penalties for violations, and by renumbering sections 184.71 through 184.77.

11/16/2004, CONTINUED. Continued to November 23, 2004

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Gonzalez, Daly

18. 030667 [Domestic Partner and Family Protection Rent Ordinance]
Supervisors Gonzalez, Daly, Peskin, Ammiano

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance" by amending Section 37.9 to prohibit evictions from rent-controlled units based solely on the addition of an existing tenant's child, parent, grandchild, grandparent, brother or sister, or the spouse or domestic partner (as defined in Administrative Code Sections 62.1 through 62.8) of such relatives, or for the addition of the spouse or domestic partner of a tenant, where a pre-existing rental agreement or lease limits the number of occupants or limits or prohibits subletting or assignment and where the landlord has unreasonably refused the tenant's written request to add such occupant(s), unless the total number of occupants exceeds two persons per studio rental unit, three per one-bedroom unit, four per two-bedroom unit, six per three-bedroom unit or eight per four-bedroom unit, or unless this total would exceed the number of occupants permitted under state law and/or other local codes (e.g., Planning, Housing, Fire and Building Codes) [Section 37.9(a)(2)]; and expressing the intent of the Board of Supervisors that the Rent Board Rules and Regulations regarding subletting consent procedures be substantially applied to this legislation (but modified to address the family situations that are the subject of this legislation).

9/23/2003, SUBSTITUTED. Supervisor Gonzalez submitted a substitute ordinance bearing new title.

11/16/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 041353 [Encouraging Condominium Conversions Where Tenants Are Not Displaced]**Supervisor Daly**

Ordinance amending the Subdivision Code by repealing portions of Sections 1302, 1308, 1359, 1388, 1396, and 1396.1; by repealing Section 1316 in its entirety; amending Section 1359 to delete the exception for certain two-unit buildings; and by amending Section 1396.1 to give preference in the condominium lottery to buildings where certain evictions have not taken place.

11/16/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Peskin, Maxwell

20. 041270 [Parking Regulations]
Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, north side, from Van Ness Avenue to Polk Street, eliminating 13 parking meters.

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Polk Street to Larkin Street.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly eliminating parking meter nos. 802, 804, 806 and 808, (to create a 94-foot left turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

895 O'Farrell Street at Polk Street, southeast corner, from 81 feet to 99 feet east of Polk Street, extending bus zone by 18 feet).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street (establishing eleven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Larkin Street to Hyde Street (establishing ten parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly, (to create a 90-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street (establishing seven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Hyde Street to Leavenworth Street (establishing six parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

608 O'Farrell Street at Leavenworth Street, northwest corner side, from Leavenworth Street to Harlem Alley, (to create a 76-foot left-turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

501 O'Farrell Street at Jones Street, southwest corner, from Jones Street to 96 feet westerly, (to create a 96-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
O'Farrell Street, north side, from Leavenworth Street to Jones Street.**GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH**

O'Farrell Street, north side, from Leavenworth Street to Jones Street (establishing nine parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Leavenworth Street to Jones Street (establishing nine parking meters).

NO STOPPING ANYTIME - REVOKE**METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

340 O'Farrell Street, north side, from 245 feet to 289 feet east of Taylor Street (44-foot zone establishing two meters).

NO STOPPING ANYTIME - REVOKE**GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

360 O'Farrell Street, north side, from 85 feet to 245 feet east of Taylor Street (160-foot zone establishing eight meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

451 O'Farrell Street, south side, from 107 feet to 251 feet east of Jones Street (eliminates meters nos. 429, 427, 425, 421 and 419 to establish a 110-foot bus zone bulb out with 17 foot tapers on each end).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
O'Farrell Street, north side, from Jones Street to Taylor Street.**TOW AWAY NO STOPPING ANYTIME - REVOKE****TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH**

O'Farrell Street, north side, from Taylor Street to Mason Street.

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Larkin Street to Polk Street (establishing twelve meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1064 Geary Street at Van Ness Avenue, northeast corner, from Van Ness Avenue to 88 feet easterly, (to create an 88-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

1020 -1054 Geary Street, north side, from 96 feet to 236 feet west of Polk Street (144-foot zone eliminates parking meters 1012, 1014, 1016, 1020, 1024, and 1028 to establish a bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

990 Geary Street at Polk Street, northeast corner, from Polk Street to 100 feet easterly (to create a 100-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

999 Geary Street at Polk Street, southeast corner, from Polk Street to 92 feet easterly, (to create a 92-foot left-turn pocket during non-peak hours).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Hyde Street to Larkin Street (establishing fifteen meters).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Leavenworth Street to Hyde Street (establishing sixteen meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

894 Geary Street at Larkin Street, northeast corner, from Larkin Street to 57 feet easterly, (to create a 57-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

700 Geary Street at Leavenworth Street, northwest corner, from Leavenworth Street to 134 feet westerly, (establishing a 120-foot bus zone bus bulb, with 12-foot taper at the west end).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

795 Geary Street at Hyde Street, southeast corner, from Hyde Street to 80 feet easterly (to create an 80-foot left-turn pocket, during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 90 feet easterly, (to create a 90-foot right-turn pocket).

GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, between Jones Street and Leavenworth Street (establishing ten general parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

520 Geary Street at Taylor Street, north side, from 75 feet to 100 feet west of Taylor Street (eliminates yellow zone meter no. 508 extending existing bus zone by 25 feet).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

585 Geary Street at Jones Street, southeast corner, from Jones Street to 84 feet easterly, (to create an 84-foot left-turn pocket during non-peak hours, eliminates parking meter nos. 593, 595, 597 and 599).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

391 Geary Street at Mason Street, southeast corner, from Mason Street to 82 feet easterly, (to create an 82-foot left turn pocket, during non-peak hours, eliminates yellow zone meter nos. 337, 339 and 341).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

10 Geary Street, north side, from 90 feet to 130 feet west of Kearny Street (eliminates yellow zone meter nos. 14 and 16 to extend existing bus zone bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

100 Geary Street at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly, (to create a 72-foot right turn pocket, eliminating yellow zone parking meter no. 38).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

310 Geary Street, north side, from 95 feet to 135 feet west of Powell Street (eliminates yellow zone meters 18 and 22 to extend existing bus zone).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

10/26/2004, CONTINUED. Continued to November 23, 2004

Question: Shall this Resolution be ADOPTED?

21. 041271

[Traffic Regulations]**Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE
RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Hyde and Leavenworth Streets.

TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM, MONDAY THROUGH FRIDAY - REVOKE
RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Leavenworth and Jones Streets.

TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - REVOKE
RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
300 block of Geary Street (transit lane).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

10/26/2004, CONTINUED. Continued to November 23, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

22. 041449

[Establishing a Shelter Monitoring Committee]**Supervisors Gonzalez, Alioto-Pier**

Ordinance adding Article XII to Article 20 of the San Francisco Administrative Code to establish a Shelter Monitoring Committee to monitor and report on homeless shelters funded in whole or in part by the City.

11/16/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/16/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

23. 041391 [Approving plan for universal access to preschool]
Supervisors Ammiano, Daly
Resolution approving the interim plan of the San Francisco Children and Families First Commission for providing all four-year-old children in San Francisco the opportunity to attend preschool by September 2009.
- Question: Shall this Resolution be ADOPTED?
24. 041428 [Agreement to sell real property related to the former Central Freeway parcels located on Elm Street near Gough Street]
Resolution approving and authorizing agreement for the sale by the City, at fair market value, of certain real property known generally as a portion of Lot 23, Assessor's Block 761 to the San Francisco Federal Credit Union; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution.
(Real Estate Department)
- Question: Shall this Resolution be ADOPTED?
25. 041430 [Emergency Repairs]
Resolution authorizing expenditure of funds for emergency repairs of Early Intake at an estimated cost of \$4,498,000.
(Public Utilities Commission)
(Fiscal impact.)
- Question: Shall this Resolution be ADOPTED?
26. 041457 [Accept and Expend Federal Funds - Fiscal Year 2004 Lead Hazard Control Grant Program]
Supervisor Ammiano
Resolution authorizing retroactively, the Mayor of the City and County of San Francisco to accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed \$3,000,000.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

27. 041316 **[Surplus City Property]**
 Supervisor Daly
 Ordinance amending the San Francisco Administrative Code by amending Sections 23A.9, 23A.10 and 23A.11 to specify terms for appointed members of the Surplus Property Citizens' Advisory Committee, to clarify the requirements under Administrative Code Section 23.3 applicable to dispositions of surplus and underutilized property, and to clarify policy and procedures for dispositions of City-owned surplus and underutilized real property that is not listed on the annual Surplus Property Report.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 041335 **[Designation of County Surveyor]**
 Supervisor Ma
 Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor. (Public Works Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 041359 **[Western SoMa Citizens Planning Task Force]**
 Supervisor Daly
 Resolution establishing a 22 member Western SoMa Citizens Planning Task Force.

Question: Shall this Resolution be ADOPTED?

30. 041354 **[Utility Undergrounding Task Force]**
 Supervisors Dufty, Maxwell, Ma, Alioto-Pier, Gonzalez
 Resolution creating a Utility Undergrounding Task Force to advise the City and County of San Francisco concerning the future of utility undergrounding in San Francisco and to complete its work by September 1, 2005.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

31. 041548 [Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action: _____

Committee of the Whole Adjourn and Report Without Recommendation

32. 041545 [Reenacting a Disadvantaged Business Enterprise Program]
Supervisor Ammiano
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

33. 041199 [Public Hearing - Appeal of Categorical Exemption - 2404 Broadway Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated August 3, 2004, Case No. 2004.0406E, approving the proposed project to vertically and horizontally expand an existing three-story-over-basement Colonial Revival house located at 2404 Broadway Street, Assessor's Block 562, Lot 4. (Appellants: Suzanne and Francoise Antounian, represented by their attorneys, G. Scott Emblidge and Rebecca Bedwell-Coll of Moscone, Emblidge & Quadra, LLP.) (Filed August 18, 2004; companion measure to Files 041200, 041201, 0411202; District 3.)

9/14/2004, CONTINUED. Continued to September 28, 2004

9/28/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to November 23, 2004

Action: _____

(Only one of the following two motions should be adopted.)

34. 041200 [Affirming the categorical exemption issued for 2404 Broadway Street]
Motion affirming the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 9/14/2004, CONTINUED. Continued to September 28, 2004
9/28/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to November 23, 2004
Question: Shall this Motion be APPROVED?
35. 041201 [Disapproving the categorical exemption issued for 2404 Broadway Street]
Motion disapproving the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 9/14/2004, CONTINUED. Continued to September 28, 2004
9/28/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to November 23, 2004
Question: Shall this Motion be APPROVED?
36. 041202 [Preparation of findings related to the categorical exemption issued for 2404 Broadway Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2404 Broadway Street project is categorically exempt from environmental review under the California environmental Quality Act.
(Clerk of the Board)

9/14/2004, CONTINUED. Continued to September 28, 2004

9/28/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to November 23, 2004

Question: Shall this Motion be APPROVED?

37. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

38. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

39. 041595 [Legislative Analyst Request - Early morning trash pickup and deliveries] Supervisor Dufty

Motion requesting the Legislative Analyst to research noise ordinances and other major metropolitan areas (particularly New York and Washington DC) that address the issues of early morning trash pickup and deliveries, and make recommendations as to the feasibility of such ordinance in San Francisco. Questions: (1) Is it feasible for San Francisco to restrict business hours of private companies? (2) How would time limitations affect traffic conditions? (3) Is it possible to have an "opt-in" system (similar to the residential parking sticker) for residential neighborhoods that wish to restrict hours for trash pickup and deliveries?

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 40 through 55

- 40. 041574 [Public hearing approval for the issuance and sale of refunding revenue bonds by CSCDA for Walden House, Inc.]**
Supervisor Gonzalez
Resolution authorizing the issuance and sale of refunding revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$7,950,000 for the Project (as defined herein).
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 41. 041575 [Grant to Enhance Voter Education and Poll Worker Training]**
Supervisor Gonzalez
Resolution authorizing the San Francisco Department of Elections to accept and expend a grant in an amount not to exceed \$300,000.00 from the California Secretary of State to improve San Francisco's voter education and pollworker training programs.
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 42. 041576 [Public hearing approval for the issuance and sale of revenue bonds by the Arizona Health Facilities Authority for Blood Centers of the Pacific and Blood Systems, Inc.]**
Supervisor Alioto-Pier
Resolution authorizing the issuance and sale of revenue bonds by the Arizona Health Facilities Authority for Blood Centers of the Pacific and Blood Systems, Inc. in an aggregate principal amount not to exceed \$55,000,000 for the Project (as defined herein).
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
- 43. 041578 [International Education Week]**
Supervisor Ma
Resolution declaring the week of November 15-19, 2004 as "International Education Week" in the City and County of San Francisco.
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

44. 041597 [Precautions Against the Flu]
Supervisor Ammiano
Resolution urging all San Franciscans to implement prevention measures to reduce as much as possible their risk of contracting the flu.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
45. 041598 [Landfill Liabilities]
Supervisor Ammiano
Resolution supporting the reform of California's Landfill Financial Assurance Rules to ensure that the risks of long term landfill liabilities do not become a financial obligation of the state and local governments and their taxpayers.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
46. 041601 [Honoring and commending Tenderloin Tessie Holiday Dinners for creating warm family dinners for those in need during the holiday season for thirty years]
Supervisors Daly, Dufty, Ammiano
Resolution honoring and commending Tenderloin Tessie Holiday Dinners for creating warm family dinners for those in need during the holiday season for thirty years.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
47. 041602 [Supports the release of Colombian Senator Ingrid Betancourt]
Supervisor Gonzalez
Resolution of solidarity supporting that all parties cooperate to achieve the release of Senator Ingrid Betancourt, and the 3,000 other captives in Colombia.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?
48. 041604 [Commending Ann Foley posthumously for distinguished public service]
Supervisor Peskin
Resolution commending Ann Foley posthumously for her dedication and distinguished public service in the Office of the Controller.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

49. 041605 **[Urging Transportation Secretary Norm Mineta to approve the United Airlines bid to operate a direct route between S.F. International Airport and Guangzhou Baiyun International Airport]**
Supervisor Peskin
Resolution urging the Secretary of the United States Department of Transportation, Norm Mineta, to award a new non-stop flight route between San Francisco International Airport and Guangzhou Baiyun International Airport to United Airlines.
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
50. 041599 **[Censure of Supervisor Daly for Violations of Board Rules]**
Supervisor Alioto-Pier
Motion censuring Supervisor Daly for violations of Board Rules.
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
51. 041600 **[Health Care Workers Lockout - December 2, 2004 Board of Supervisors Committee of the Whole]**
Supervisor Daly
Motion for the Board of Supervisors to convene as a Committee of the Whole on December 2, 2004 at 1 pm to consider the impact of the possible lockout of health care workers by Sutter Health and measures the City can take to ameliorate the situation.
- 11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
52. 041520 **[Final Map, Planned Development, Mission Bay]**
Motion approving Final Map, Planned Development, Mission Bay (BLOCK N4A), a 4 lot subdivision, being phase 2 of a subdivision of Assessor's Blocks 8704, 8705, 8707 and 8708 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents.
(Public Works Department)
(DPW Order No. 174,994; District 6.)
- 11/9/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?
53. 041521 **[Final Map for a 50 Unit Mixed Use Condominium Project - 1600 Webster Street]**
Motion approving Final Map of 1600 Webster Street, A Mixed Use Condominium Project, being a subdivision of Lot 51 in Assessor's Block No. 685, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,056; District 5.)
- 11/10/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Motion be APPROVED?

54. 041568 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

55. 041569 [Emergency Declaration Concurrence - Influenza Vaccine]

Mayor

Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

11/16/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference Agenda:

56. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinance received from November 2, 2004 through November 15, 2004, for reference by President to appropriate committee on November 23, 2004.

None

PROPOSED RESOLUTIONS

Proposed resolutions received from November 2, 2004 through November 15, 2004, for reference by President to appropriate committee on November 23, 2004.

041522 [Amendment to Paratransit Broker Agreement]

Resolution approving Amendment No. 4 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current five-year contract for three years, through March 31, 2008, and to increase the contract amount by \$65,379,606, for a total contract amount not to exceed \$158,021,539.

(Municipal Transportation Agency)

11/10/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041523 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

John Muir Drive, south side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

TOW-AWAY, NO PARKING, 10 PM to 6 AM EVERYDAY - ESTABLISH

John Muir Drive, north side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

(Parking and Traffic Department)

(11/05/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2904.)

11/10/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041607 [Petitions and Communications]

Petitions and Communications received from November 2, 2004 through November 15, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 23, 2004.

From Department of Public Health, submitting report concerning the Mission/Goals, Programs/Services, Customer Service/Performance Measures, and Strategic Planning for the Department of Public Health. (1)

From Department of Telecommunications and Information Services, regarding the installation of emergency call boxes on Mansell Road in McLaren Park. (Reference No. 20041005-004) Copy: Supervisor Sandoval (2)

From Office of the Treasurer/Tax Collector, responding to inquiry regarding types of food or beverage products purchased by the Office of the Treasurer/Tax Collector. (Reference No. 20040914-037) Copy: Supervisor Peskin (3)

From Department of Elections, responding to inquiry regarding types of food or beverage products purchased by the Department of Elections. (Reference No. 20040914-045) Copy: Supervisor Peskin (4)

From Alice Suet Yee Barkley, submitting request for continuance of appeal for proposed expansion of the San Bao Temple at 1730-1750 Van Ness Avenue to December 14, 2004. File 041275, Copy: Each Supervisor (5)

From Law Office of Stephen Williams, regarding request for continuance of appeal for proposed expansion of the San Bao Temple at 1730-1750 Van Ness Avenue to December 14, 2004. File 041275, Copy: Each Supervisor (6)

From Transportation Authority, responding to inquiry regarding types of food or beverage products purchased by the Transportation Authority. (Reference No. 20040914-012) Copy: Supervisor Peskin (7)

From Office of the Sheriff, submitting quarterly report pursuant to Section 23 of the fiscal year 2004-05 Annual Appropriation Ordinance. (8)

From Office of the Controller, submitting audit report of Edgewood Center for Children and Families and its compliance with the City and County ordinance prohibiting the use of city funds for political activity. (9)

From Alice Suet Yee Barkley, regarding request for continuance of appeal for issuance of Categorical Exemption for 2404 Broadway until November 23, 2004. File 041199, Copy: Each Supervisor (10)

From Joseph Kim, submitting request to transfer a type 21 liquor license from 681 Third Street to 699 Third Street for Joseph Kim dba Third & Townsend Corner Store. (11)

From Fine Arts Museums of San Francisco, submitting report regarding Strategic Planning/Customer Service/Annual Performance Plan/Annual Performance Evaluation for the Fine Arts Museums. (12)

From the Real Estate Division, submitting memorandum regarding the sale of Parcel B located on Elm Street near Gough Street to the San Francisco Federal Credit Union. File 041428 (13)

From various signators, submitting Form 700 Statement of Economic Interests: Andrew Murray, Senior Legislative Analyst
Shauna Johnson, Legislative Analyst (14)

From Department of Public Works, submitting approval for a Minor Sidewalk Encroachment Permit at 1884-1886 Union Street. (15)

From Adult Probation Department, responding to inquiry regarding types of food or beverage products purchased by the Adult Probation Department. (Reference No. 20040914-031) Copy: Supervisor Peskin (16)

From Human Rights Commission, responding to inquiry regarding types of food or beverage products purchased by the Human Rights Commission. (Reference No. 2004914-017) Copy: Supervisor Peskin (17)

From Office of the Treasurer/Tax Collector, submitting report on the Cash Differences and overages Fund for the period ending October 31, 2004. (18)

From concerned citizens, submitting opposition to proposal to close or cut hours from any branch library in San Francisco. (19)

From concerned citizens, submitting opposition to proposal to change condo conversion rules for 2 unit buildings. File 041353, Copy: Each Supervisor (20)

From St. Boniface Neighborhood Center, submitting opposition to the imminent closure of Hospitality House's Tenderloin self-help Center. (21)

From Office of the Controller, submitting audit report of the revolving fund maintained by the Mayor's Office of Emergency Services. (22)

From Abdalla Megahed, regarding donating food to the homeless this Thanksgiving season. (23)

From Department of the Environment, responding to inquiry regarding types of food or beverage products purchased by the Department of the Environment. (Reference No. 20040914-023) Copy: Supervisor Peskin (24)

From Office of the Mayor, submitting 2004-05 Efficiency Plan for the Office of the Mayor. (25)

From Myrna Escobar, submitting opposition to reduced hours of on-site managers at the Housing Authority. (26)

From Richard Skaff, commenting on various issues including ADA/Disability Access in San Francisco. (27)

From Ron Wardlow, commenting on various problems he has with Municipal Railway bus service. (28)

ADJOURNMENT

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

DEC - 3 2004

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tuesday, December 7, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Peskin, Daly, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

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The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

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· For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

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The Clerk of the Board's Office TTY number is (415) 554-5227.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the November 2, 2004 Board Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 17

Recommendations of the City Services Committee

Present: Supervisors Dufty, Elsbernd

1. 041441 [Approval of the Substance Abuse and Crime Prevention Act of 2000 – Implementation Plan]
Supervisor Dufty
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2004-2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

2. 041515 [Provide children's dental disease prevention services in San Francisco]**Supervisor Duffy**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of \$30,429 from the California Department of Health Services (CDHS) to provide dental disease prevention services to children in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2004, to June 30, 2005. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

3. 041519 [Develop a supplemental HIV/AIDS surveillance system to produce population-based estimates of the characteristics of persons with HIV infection in San Francisco and the care they receive, and add two new positions]**Supervisor Duffy**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$267,880 from the Centers for Disease Control and Prevention (CDC) to develop a supplemental HIV/AIDS morbidity and risk surveillance system, to enter into an agreement for the use of these funds, and to add two new positions; for the period of September 1, 2004, to May 31, 2005. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

4. 041511 [Accept and Expend Federal Funds from the Transportation Security Administration (TSA Agreement Number HSTS04-04-A-DEP125)]

Resolution authorizing the Airport Commission to accept and expend federal funds in a total amount of \$15,000,000 from the Transportation Security Administration (TSA Agreement Number HSTS04-04-A-DEP125) for the Installation of Explosive Detection Baggage Inspection systems (EDS) at San Francisco International Airport. (Airport Commission)

Question: Shall this Resolution be ADOPTED?

5. 041512 [Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP) (AIP 26 - Project No. 3-06-0221-26) and (AIP 27 - Project No. 3-06-0221-27)]

Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of \$14,957,719 from the Federal Aviation Administration: \$13,397,719 to be expended on Airport standard and security improvements (A.I.P 26, Project No. 3-06-0221-26); and \$1,560,000 for Airport noise improvements (A.I.P 27, Project No. 3-06-0221-27). (Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present:: Supervisors McGoldrick, Peskin, Maxwell

6. 041389 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Baker and Broadway, making this intersection an All-Way STOP;

19th and York Streets, stopping 19th Street at York Street, making this intersection an All-Way STOP;

Douglass and Jersey Streets, stopping Jersey Street at Douglass Street, stopping the stem of this uncontrolled T-intersection;

24th Street at Treat Avenue, stopping 24th Street at Treat Avenue, making this intersection an All-Way STOP; and

17th Avenue and Moraga Street, stopping 17th Avenue at Moraga Street, making this intersection an All-Way STOP.

(Parking and Traffic Department)

(10/6/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2887.)

Question: Shall this Resolution be ADOPTED?

7. 041424 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH

16th Avenue, northbound, between Rivera and Santiago Streets.

(Parking and Traffic Department)

(10/6/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2887.)

Question: Shall this Resolution be ADOPTED?

8. 041425 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Avenue, both sides, between Ocean Avenue and Sloat Boulevard (2900 block); and Sloat Boulevard, south side, between 20th and 21st Avenues (400 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

21st Street, both sides, between Dolores and Guerrero Streets (3400 block).

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM - 10 PM, EVERYDAY) - ESTABLISH

248-254 Ritch Street, west side, between Brannan and Bryant Streets (adds even addresses only, no permit parking signs will be posted on this block).

PARKING METER AREA NO. 3 (9 AM - 6PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bacon Street, north side, from San Bruno Avenue to 135 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND

Bacon Street, north side, from 125 to 135 feet east of San Bruno Avenue.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Plum Street, north side, from Mission Street to 31 feet easterly (31-foot zone, accommodating 5 motorcycle parking spaces).

(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

9. 041510 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Sussex Street and Swiss Avenue, stopping Swiss Avenue at Sussex Street, making this uncontrolled intersection a two-way STOP;

Beulah and Shrader Streets, stopping Shrader Street at Beulah Street, making this intersection an All-Way STOP;

Broderick and Francisco Streets, stopping Broderick Street at Francisco Street, making this intersection an All-Way STOP; and

Cross and Pope Streets, stopping Pope Street at Cross Street and Cross Street at Pope Street, making this uncontrolled T-intersection an All-Way STOP.

(Parking and Traffic Department)

(10-26-04: categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2895.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

10. 041189 [Settlement of Bankruptcy Claims Dispute, In re METROMEDIA FIBER NETWORK, INC]
Supervisor Maxwell
Ordinance authorizing settlement at 75% of face value of disputed bankruptcy creditor claims filed by the City and County of San Francisco against Chapter 11 Debtors, In re METROMEDIA FIBER NETWORK, INC., et al., Chapter 11, Case Nos. 02-22736 (ASH) through 02-22742 (ASH), 02-22744 (ASH) through 02-22746 (ASH), 02-22749 (ASH), and 02-22751 (ASH) through 02-22754 (ASH) (Jointly Administered), (U. S. Bankruptcy Court, Southern District of New York), and directing attorney for Tax Collector to effectuate settlement.
- 11/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
11. 041388 [Settlement of Lawsuit - Turlock Irrigation District]
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Turlock Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 13, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323717).
(City Attorney)
- 11/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
12. 041427 [Settlement of Lawsuit - Armstrong, et al., v. CCSF, et al.]
Ordinance authorizing settlement of claims made by James Armstrong in a multi-party action against the City and County of San Francisco for \$50,000.00, placement in Step 3 of current 5173 classification, and payment of the difference between the Step 3 pay rate and the pay rate actually received by James Armstrong retroactive to April 26, 2003; the lawsuit was filed on July 9, 2001 in United States District Court, Northern District, Case No. C01-2611; entitled Armstrong, et al., v. City and County of San Francisco, et al.
(City Attorney)
- 11/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
13. 041437 [Partial Settlement of Lawsuit - Eugene Kalinin, et al.]
Ordinance authorizing partial settlement of the lawsuit filed by Tim Anderson, Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Edward Allen Ellstad, Eugene Kalinin, Daniel Manning, Sonia Mariona, William Moralez, Brian J. Perry and Jack Z. Wronski against the City and County of San Francisco for \$240,000; the lawsuit was filed on November 5, 2003, in the United States District Court, Northern District of California, Case No. C-03-4928 MHP; entitled Eugene Kalinin, et al., v. City and County of San Francisco, et al; the partial settlement resolves certain claims in the lawsuit brought by plaintiffs Alexandria Brunner-Jones, Rolando Canales, Davin Cole, Brian Devlin, Eugene Kalinin, Daniel Manning and Sonia Marion; all plaintiffs have additional claims remaining in the lawsuit.
(City Attorney)
- 11/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

14. 041442 [Settlement of Lawsuit - Andrew King v. CCSF, et al.]
Ordinance authorizing settlement of the lawsuit filed by Andrew King against the City and County of San Francisco for \$60,000; the lawsuit was filed on 10/31/03 in United States District Court. Case No. C03-4879; entitled Andrew King v. City and County of San Francisco, et al.
(City Attorney)
- 11/23/2004, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 041316 [Surplus City Property]
Supervisor Daly
Ordinance amending the San Francisco Administrative Code by amending Sections 23A.9, 23A.10 and 23A.11 to specify terms for appointed members of the Surplus Property Citizens' Advisory Committee, to clarify the requirements under Administrative Code Section 23.3 applicable to dispositions of surplus and underutilized property, and to clarify policy and procedures for dispositions of City-owned surplus and underutilized real property that is not listed on the annual Surplus Property Report.
- 11/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 041335 [Designation of County Surveyor]
Supervisors Ma, Gonzalez
Ordinance amending Administrative Code Section 2A.190 and Subdivision Code Section 1307 to designate and distinguish the official titles and duties of City Engineer and County Surveyor and amending Subdivision Code Sections 1310, 1311, 1320, 1324 through 1329, 1340, 1355, 1360 through 1364, and 1397 to reassign responsibilities from the City Engineer to the County Surveyor.
(Public Works Department)
- 11/23/2004, PASSED ON FIRST READING. Supervisor Gonzalez requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?
17. 041551 [Settlement of Lawsuit - People v. Dynegy, et al.]
Supervisor Maxwell
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, on behalf of the People of California, against the Duke Energy Companies; the lawsuit entitled People v. Dynegy, et al. was filed on January 18, 2001, and has been consolidated as Wholesale Electricity Antitrust Cases I & II in the United States District Court, Southern District of California. Case Nos. 02 CV 0990-RHW, CV 02-1000-RHW, 02 CV-1001 RHW; the settlement provides \$500,000 to San Francisco to be used for energy efficiency, renewable energy or environmental justice projects in areas affected by electric generation in San Francisco and \$172 million in benefits to California electric ratepayers, among other provisions.
- 11/23/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Services Committee

Present: Supervisors Dufty, Ma, Elsbernd

18. 041308 [Regulating the Distribution of Handbills]

Supervisor Ma

Ordinance amending Article 5.7 of the Public Works Code by repealing section 184.71, which required persons distributing handbills to register and pay fees, amending section 184.73 to make violation of the ordinance an infraction instead of a misdemeanor, amending section 184.74 to permit the City to recover costs incurred in cleaning up handbills distributed in violation of the ordinance and to impose civil penalties for violations, and by renumbering sections 184.71 through 184.77.

11/16/2004, CONTINUED. Continued to November 23, 2004

11/23/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

19. 041385 [Street Encroachment at 199 Geary Street - Security Pacific Place]

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.

(Public Works Department)

10/26/2004, AMENDED. Amended on page 2, line 22, by replacing "even" with "event."

10/26/2004, CONTINUED AS AMENDED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 7, 2004

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

20. 040989 [Granting a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America]
Supervisors McGoldrick, Alioto-Pier, Daly, Ammiano
Ordinance amending the San Francisco Administrative Code by adding a new Chapter 12I to grant a bid preference of twenty percent to each contractor who will perform all services to be required by a contract in the United States of America.

10/19/2004, CONTINUED. Continued to November 2, 2004

11/2/2004, CONTINUED. Continued to December 7, 2004

Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the City Services Committee

Present: Supervisors Dufty, Elsbernd, Gonzalez

21. 040561 [Increasing the penalty for littering and nuisance violations, and providing for rewards for persons providing information leading to collection of those penalties]
Supervisors Sandoval, Dufty, Gonzalez, Elsbernd
Ordinance amending the San Francisco Police Code by amending Section 37, amending the San Francisco Health Code by amending Sections 283.1, 287, and 600, and amending the San Francisco Public Works Code by amending Section 174.2, all to increase the maximum administrative penalty for littering, illegal dumping of garbage, and maintaining a nuisance from \$300 to \$1,000, and amending the San Francisco Administrative Code by adding Section 10.100-234, to establish a Public Works Littering and Nuisance Violation Reward Fund, to be used to reward persons who have provided information leading to the collection of those penalties.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Dufty, Elsbernd

22. 041336 [Police alarm ordinance; technical changes to billing and remittance requirements for alarm companies; limiting license fee increases to \$5 increments]
Supervisor Ma
Ordinance amending the San Francisco Police Code, by amending Sections 3710.1, 3710.2, 3710.4, and 3720, to: require that alarm companies remit fees collected from customers in a single monthly check; move the billing date for license fees, beginning in 2005, from December 1 to November 1; clarify that the billing and remittance requirements of the Article only apply to those alarm monitoring companies having a direct contractual relationship with the alarm user; clarify that alarm companies shall only be held responsible for the unpaid license fees of their customers where the company has failed to take reasonable steps to collect the fees, and provide a minimum threshold of what constitutes "reasonable steps"; and, limit license fee increases to five-dollar increments. (Emergency Communications Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Services Committee "Without Recommendation"

Present: Supervisors Dufty, Elsbernd, Gonzalez

23. 041461 [S.F. Zoo-Keeping Elephants Prohibited]
Supervisor Gonzalez
Ordinance adding Section 5.09 to the Park Code to prohibit the keeping of elephants at the San Francisco Zoo by any City department or contractor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 041463 [Animal Care & Control - Investigation of complaints at San Francisco Zoo]
Supervisor Gonzalez
Ordinance amending S. F. Health Code Sec. 41.4 to authorize the Animal Care and Control Department to investigate complaints regarding animal care at the San Francisco Zoo and to work with the General Manager of the Recreation and Park Department and the Director of the Zoo to remedy any deficiencies in animal care.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

25. 041450 [Commodities or services purchased with federal grant funds for the enhancement of homeland security]
Supervisors Ma, Daly
Ordinance amending San Francisco Administrative Code Section 21.5 to allow the Purchaser to develop regulations for the purchase of commodities or services using federal grant funds for the enhancement of homeland security where the purchase does not exceed \$100,000.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 041516 [Issue 32 and 33 Refunding Bond Sale Resolutions, Swap Resolution and Twelfth Supplemental Resolution]
Resolution approving the issuance of up to \$875,000,000 additional aggregate principal amount of San Francisco International Airport second series revenue refunding bonds for the purpose of refinancing bonds and subordinate bonds of the Airport Commission; approving the sale of San Francisco International Airport second series revenue refunding bonds through December 31, 2007; approving the maximum interest rate, notional amount and term of interest rate swap transactions; approving the forms of certain documents relating to interest rate swap transactions and authorizing the execution and delivery thereof; approving and authorizing the use of Airport Commercial paper to pay swap termination payments and costs of issuance; approving the forms of certain documents relating to San Francisco International Airport second series variable rate revenue bonds and authorizing the execution and delivery thereof; approving certain amendments to the 1991 Master Resolution; and related matters.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

27. 041517 [Prevailing wage rates for workers on public works and improvement projects, workers performing janitorial services, workers in public off-street parking lots, garages, or storage facilities for automobiles, and workers performing moving services]

Supervisor Daly

Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; and (4) workers performing moving services under City contracts at facilities owned or leased by the City.

(City Attorney)

Question: Shall this Resolution be ADOPTED?

28. 041532 [Approval of Ground Lease and Acceptance of Easements]

Supervisor Ma

Resolution approving a ground lease between the City of Hayward, as landlord, and the City and County of San Francisco and East Bay Municipal Utility District, as tenants, for the construction, use and operation of an emergency pump station/intertie facility at the Hayward Executive Airport, authorizing acceptance of two easements related to the pump station/intertie facility, and adopting findings pursuant to the California Environmental Quality Act.

Question: Shall this Resolution be ADOPTED?

29. 041550 [Increasing civil filing and appearance fees provided in Business and Professions Code for operation of the Law Library]

Mayor

Resolution increasing civil filing and appearance fees provided in Business and Professions Code sections 6321, 6322 and 6322.1 for operation of the Law Library.

Question: Shall this Resolution be ADOPTED?

30. 041573 [Multifamily Housing Revenue Bonds]

Supervisors Peskin, Daly

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds (as defined herein) in an aggregate principal amount not to exceed \$19,200,000 for the purpose of providing financing for a multifamily rental housing project; approving the form of and authorizing the execution of an indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; approving the form of and authorizing the execution of a first amendment to ground lease; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to city officials to take actions necessary to implement this resolution; and related matters.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

31. 041459 [Alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility]
Supervisor McGoldrick
Ordinance authorizing the Recreation and Park Commission to implement an alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

32. 041395 [Notification in the Voter Information Pamphlet of a candidate's adoption of voluntary expenditure ceiling]
Supervisor Gonzalez
Ordinance amending section 1.128 of the San Francisco Campaign and Governmental Conduct Code to specify the size and content of the notice in the Voter Information Pamphlet regarding whether a candidate has adopted the applicable voluntary expenditure ceiling.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 041456 [Contribution limits for contractors doing business with the Unified School District and Community College District]
Supervisors Gonzalez, Alioto-Pier
Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 041572 [Board Off-site Meeting]
Supervisor Ammiano
Motion ordering the City and School District Select Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on Monday, January 10, 2005, at 4:00 p.m. and directing the Clerk of the Board to prepare the proper notices and postings.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget Committee at a Special Meeting on Thursday, December 2, 2004 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, December 7, 2004.

35. 041580 [Authorizing Controller to eliminate positions of laid off employees from the budget in order to expedite offers of Early Retirement Benefits and mitigate the effect of layoffs]
Supervisor Elsbernd

Ordinance to effect a supplemental change to the budget by directing Department Heads to certify positions eliminated as a result of budget constraints and authorizing the Controller to identify the date of expiration of funding in the budget for such positions in order to expedite offers of Early Retirement Benefits and mitigate the effect of layoffs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 041585 [De-appropriate funding from the San Francisco Convention Facilities Management Visitors Bureau and the Department of Economic & Workforce Development in the Fiscal Year 2004-05]
Supervisor Sandoval

Ordinance amending the Annual Appropriation Ordinance by reducing appropriation to the Convention Facilities Management Visitors Bureau for professional services by \$3,660,500 from \$7,321,000 to \$3,660,500 for Fiscal Year 2004-05, reducing the allocation of Hotel Tax authorized by the Administrative Provisions Section 11.11 for the Convention and Visitors Bureau for Fiscal Year 2004-05. Additionally, reducing a total appropriation from the Department of Economic and Workforce Development of \$305,976 for the Fiscal Year 2004-05.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. 041586 [Public Employment - Department of Business and Economic Development]
Supervisor Sandoval
Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 2.71 full time equivalent (FTE) positions at the Department of Business and Economic Development.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items were considered by the Land Use Committee at a Regular Meeting on Monday, December 6, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, December 7, 2004.

38. 041533 [CEQA Findings in Connection with the Hunters Point Shipyard Redevelopment Plan]
Mayor, Supervisor Maxwell
Resolution adopting environmental findings pursuant to the California Environmental Quality Act, State Guidelines, and Administrative Code Chapter 31 in connection with the Hunters Point Shipyard Redevelopment Plan and related implementing actions.

Question: Shall this Resolution be ADOPTED?

39. 041534 [Urging the Planning Commission to Recommend Amendments to the General Plan Concerning The Hunters Point Shipyard Redevelopment Plan]
Mayor, Supervisor Maxwell
Resolution Urging the Planning Commission to Recommend Amendments to the General Plan to make the General Plan consistent with the Hunters Point Shipyard Redevelopment Plan.

Question: Shall this Resolution be ADOPTED?

40. 041539 [Zoning Map Amendment in connection with Hunters Point Redevelopment Project Area]
Mayor, Supervisor Maxwell
Ordinance amending Zoning Map Sheets 9 and 9H of the City and County of San Francisco to eliminate use districts and height and bulk districts within Assessor's Block 4591A, the Hunters Point Redevelopment Plan area, and instead reference the Hunters Point Shipyard Redevelopment Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 041535 [General Plan Amendments Concerning Hunters Point Shipyard Redevelopment Plan]
Mayor, Supervisor Maxwell
Ordinance amending the San Francisco General Plan to make the General Plan consistent with the Hunters Point Shipyard Redevelopment Plan, and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 041542 [Hunters Point Shipyard- Resolution of Intent for Street Vacation]
Mayor, Supervisor Maxwell
Resolution declaring the intention of the Board of Supervisors to vacate portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Earl Street in Hunters Point Shipyard Parcel "A-1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A-2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; setting the hearing date for all persons interested in the proposed vacation of said street areas and public service easements.

Question: Shall this Resolution be ADOPTED?

43. 041543 [Hunters Point Shipyard - Street Vacation Order]
Mayor, Supervisor Maxwell
Ordinance ordering the vacation of portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Earl Street in Hunters Point Shipyard Parcel "A-1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A-2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; making environmental findings and findings of consistency with the City's General Plan, Planning Code Section 101.1, and the Hunters Point Redevelopment Plan; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including SBC, Pacific Gas and Electric Company, and the City; accepting Department of Public Works Order No _____; and authorizing official acts in connection with this Ordinance.

Question: Shall this Ordinance be PASSED ON FIRST READING?

44. 041541 [Hunters Point Shipyard - Health Code]**Mayor, Supervisor Maxwell**

Ordinance adding Article 31 to the Health Code and amending sections 659, 1120.1 and 1227 of the Health Code to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and to authorize the Department of Public Health to implement these restrictions, impose penalties, and charge fees to defray the costs of implementation; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 041544 [Hunters Point Shipyard - Subdivision Code]**Mayor, Supervisor Maxwell**

Ordinance amending the San Francisco Subdivision Code by adding the Hunters Point Shipyard Subdivision Code, Division 3, Article 1-8, Sections 1600 et seq. and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 041538 [Hunters Point Shipyard - Public Works Code]**Mayor, Supervisor Maxwell**

Ordinance amending the Public Works Code to add Sections 2.3.1, 2.3.2, 2.3.3 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making specified findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 041540 [Hunters Point Shipyard - Building Code]**Mayor, Supervisor Maxwell**

Ordinance amending the Building Code to add Section 106.3.2.5 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 041536 [Creating a graduated code compliance plan for non-residential buildings at naval bases transferred to the City, the Redevelopment Agency, or the Treasure Island Development Authority]

Mayor, Supervisor Maxwell

Ordinance amending the Building Code to add Section 3409 to provide that building and structures located on the Naval Station Treasure Island (including Yerba Buena Island) and Hunters Point Naval Shipyard may comply with the requirements of the Building Code in a graduated manner over a period not to exceed seven years provided that: the buildings or structures were in existence at the time the bases were selected for closure, the Director of the Department of Building Inspection and the Fire Marshal determine that the buildings or structures are safe for their intended use and occupancy, the buildings or structures have been leased or transferred by the Federal Government to the City, the Redevelopment Agency, or the Treasure Island Development Authority, and the buildings or structures meet the code compliance inspection and graduated compliance plan requirements specified, to authorize the Department of Building Inspection and the Fire Department to charge the Redevelopment Agency or the City fees for time and materials expended in responding to requests for inspection and performing other tasks associated with the graduated compliance plan program, and to provide that this Section shall not go into effect until the graduated compliance plan has been filed with the California Building Standards Commission and shall remain in effect until January 1, 2007 or until seven years after the lease or transfer of buildings or structures subject to this Section, as long as that lease or transfer occurs prior to January 1, 2007, unless a state statute deletes or extends the time period for a local agency to operate under a graduated code compliance plan under California Health and Safety Code Section 18941.9 and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 041537 [Hunters Point Shipyard Joint Community Facilities Agreement]

Mayor, Supervisor Maxwell

Resolution approving and authorizing a Joint Community Facilities Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco in furtherance of the adoption and implementation of the Redevelopment Plan for the Hunters Point Shipyard, specifically the Hunters Point Phase One Improvements, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

50. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

51. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 52 through 60

52. 041614 [Children and Youth Stakeholders]
Supervisor Ma
Resolution urging the Mayor and the Department of Public Health to create a Proposition 63 Children and Youth Stakeholder Sub-Committee, dedicate a portion of Proposition 63 funding to fund children and youth services, and dedicate funding to Wellness Center Expansion.
- 11/23/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
53. 041617 [Exclusive Negotiating Agreement for Development of the Old Mint]
Supervisor Peskin
Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.
- 11/23/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 041618 [Emperor Norton Bridge]
Supervisor Peskin
Resolution urging the California Department of Transportation and members of the California Assembly and Senate to name the new additions to the San Francisco Bay Bridge in honor of Emperor Norton I, Emperor of the United States and Protector of Mexico.
- 11/23/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 041623 [Mayor's Office of Housing to assign staff to the Advisory Committee on Educator Housing]
Supervisor Ma
Resolution urging the Mayor to direct the Mayor's Office of Housing to assign an appropriate staff member to provide guidance, counseling and assistance to the Advisory Committee on Educator Housing being formed by the San Francisco Unified School District and the United Educators of San Francisco.
- 11/23/2004. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

56. 041624 [Accept-Expend State Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$150,000 from the California Department of Justice, Antitrust Law Section, for the purpose of launching a new certified farmers' market in Bayview Hunters Point and providing nutrition education to community residents.

Question: Shall this Resolution be ADOPTED?

**57. 041645 [Joint Zoo Committee Membership]
Supervisors Dufty, Ma**

Resolution urging the San Francisco Zoological Society and the Recreation and Park Commission to propose to the Board of Supervisors an amendment to the Zoo Lease and Management Agreement that would alter the composition of the Joint Zoo Committee by adding the Director of the Animal Care and Control Department as a seventh member.

11/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

**58. 041646 [Declaration of Election Results]
Supervisor Gonzalez**

Resolution declaring the results of the November 2, 2004 Consolidated General Election.

11/30/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 041647 [Final Map for a 8 Unit Live/Work Condominium Project - 139 Stillman Street]

Motion approving Final Map of 139 Stillman Street, A Live/Work Condominium Project, being a subdivision of Lot 125 in Assessor's Block No. 3762, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

11/22/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

60. 041649 [Final Map for a 13 Unit Residential/Commercial Condominium Project - 1540-1550 Lombard Street]

Motion approving Final Map of 1540-1550 Lombard Street, A Residential/Commercial Condominium Project, being a subdivision of Lot 27 in Assessor's Block No. 497, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(DPW Order No. 175,085; District 2.)

11/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference
Agenda: _____*

61. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 16, 2004 through November 29, 2004, for reference by President to appropriate committee on December 7, 2004.

041524 [Parking Regulations-Hall of Justice]

Ordinance amending San Francisco Traffic Code Section 32.6.7 to restrict parking on Bryant Street between Harriet Street and 7th Street to only marked SFPD vehicles or displaying a permit issued by the Chief of Police.
(Parking and Traffic Department)

11/30/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041606 [Settlement of Lawsuit - Eugene Duffy]

Ordinance authorizing settlement of the lawsuit filed by Eugene Duffy against the City and County of San Francisco for \$30,000; the lawsuit was filed on June 13, 2003, in San Francisco Superior Court, Case No. 421395; entitled Eugene Duffy, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/19/2004, RECEIVED AND ASSIGNED to Rules Committee.

041629 [Changing the Official Sidewalk Width along Portions of Illinois Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1563 to change the official sidewalk widths from the intersection of Illinois and 25th Streets to the intersection of Illinois and Cesar Chavez Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
(Public Works Department)

11/24/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041630 [Eliminating the Office of Emergency Services Revolving Fund.]

Ordinance amending the San Francisco Administrative Code by repealing Section 10.142. to eliminate the Office of Emergency Services Revolving Fund.
(Emergency Communications Department)

11/24/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041635 [CCP § 998 Offer of Settlement of Lawsuit - Paul R. Lozada v. CCSF]

Ordinance authorizing CCP § 998 offer of settlement of the lawsuit filed by Paul R. Lozada against the City and County of San Francisco for \$100,000; the lawsuit was filed on October 29, 2003 in San Francisco Superior Court, Case No. 03-42588; entitled Paul R. Lozada v. City and County of San Francisco, et al.
(City Attorney)

11/29/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 16, 2004 through November 29, 2004, for reference by President to appropriate committee on December 7, 2004.

041564 [Approval of Lease with American Airlines, Inc. for a portion of Plot 40 and Superbay Hangar]

Resolution approving and authorizing the execution of a Lease with American Airlines, Inc. for a portion of Plot 40 and space in the Superbay Hangar.
(Airport Commission)

11/16/2004, RECEIVED AND ASSIGNED to Finance and Audits Committee.

041631 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH

Walnut Street and Pacific Avenue, stopping northbound Walnut Street at Pacific Avenue, making this T-intersection an All-Way STOP; and

30th Avenue and Lake Street, making this intersection an All-Way STOP.
(Parking and Traffic Department)

(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)

11/29/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041632 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

ONE-WAY STREET - ESTABLISH

Vandewater Street, westbound, between Mason and Powell Streets.

BICYCLE LANES - ESTABLISH

Fell Street, from Scott Street to Baker Street.

(Parking and Traffic Department)

(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)

11/29/2004. RECEIVED AND ASSIGNED to Land Use Committee.

041633 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM - ESTABLISH
Florida Street terminus, north of 15th Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
15th Street, north side, from Florida to Bryant Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING ESTABLISH
Florida Street terminus, north of 15th Street;

Van Dyke Avenue, north side, between Keith and Jennings Streets; and

Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY - RESCIND
Lincoln Way, south side, from 20th Avenue to a point approximately 100 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Rousseau Street, east side, from San Jose Avenue to 55 feet southerly; and

Rousseau Street, west side, from San Jose Avenue to Bosworth Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles while addressing sight distance concerns at the intersection); and

Page Street, north side, between the driveways of 940 and 932 - 936 Page Street, accommodating two unmetered motorcycle parking spaces.

TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
McAllister Street, north side, from Gough Street to 60 feet easterly

NO PARKING ANYTIME - ESTABLISH
Mansell Street, median noses, east and west sides, at Girard, Brussels, Goettingen, Somerset, Hamilton and Bowdoin Streets.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bryant Street, both sides, between 15th and 16th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Genessee Street, west side, from Monterey Boulevard to 19 feet southerly.

1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
20th Street, both sides, between Capp and Valencia Streets (parking meters to remain).

TOW-AWAY, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Fell Street, south side, from Laguna Street to Scott Street.

TOW-AWAY, MONDAY-FRIDAY, 4 PM-7 PM - ESTABLISH
Fell Street, south side, from Divisadero Street to 125 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 25th and Jersey Streets (1200 block);
Duncan Street, both sides, between Sanchez Street and Noe Street (400 block); and
Sanchez Street, both sides, between 28th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Baker Street, both sides, between Geary Boulevard and Post Street (1300 block).

RESIDENTIAL PERMIT PARKING AREA "S" (4-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hill Street, both sides, between Noe and Sanchez Streets (400 block).

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bay Street, south side, between Mason and Taylor Streets.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block); and
Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block).
(Parking and Traffic Department)

(11/29/04: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2912.)

11/29/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041634 [Settlement of Unlitigated Claim]

Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for \$61,192.99.
(City Attorney)

11/29/2004, RECEIVED AND ASSIGNED to Rules Committee.

BOARD OF SUPERVISORS CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

DEC 10 2004

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12-10-04 AGY 00 REVU

Tuesday, December 14, 2004 2:00 PM

Regular Meeting

MATT GONZALEZ, PRESIDENT

MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE MCGOLDRICK, AARON PESKIN, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership

Budget Committee

Supervisors Sandoval, Daly, McGoldrick

City and School District Select Committee

Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Hiles, Wynns

City Services Committee

Supervisors Dufty, Ma, Elsbernd

Finance and Audits Committee

Supervisors Daly, Peskin, Ammiano

Land Use Committee

Supervisors McGoldrick, Peskin, Maxwell

Rules Committee

Supervisors Maxwell, Alioto-Pier, Gonzalez

Meeting Days

2nd, 3rd, 4th Thursday
10:00 AM

2nd Monday (Bi-Monthly)
4:00 PM

Thursday
9:30 AM

Wednesday
1:00 PM

Monday
1:00 PM

Wednesday
9:00 AM

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

**翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701**

Disability Access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.

The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.

All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.

The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.

- For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.

- For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.

Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at Donna.Hall@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine.htm>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the November 16, 2004 Board Minutes.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

- 1) Legislation*
- 2) Budget Analyst report*
- 3) Legislative Analyst report*
- 4) Department or Agency cover letter and/or report*
- 5) Public correspondence*

These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the City Services Committee

Present: Supervisors Dufty, Elsbernd, Gonzalez

1. 040561 [Increasing the penalty for littering and nuisance violations, and providing for rewards for persons providing information leading to collection of those penalties]
Supervisors Sandoval, Dufty, Gonzalez, Elsbernd, Ma
Ordinance amending the San Francisco Police Code by amending Section 37, amending the San Francisco Health Code by amending Sections 283.1, 287, and 600, and amending the San Francisco Public Works Code by amending Section 174.2, all to increase the maximum administrative penalty for littering, illegal dumping of garbage, and maintaining a nuisance from \$300 to \$1,000, and amending the San Francisco Administrative Code by adding Section 10.100-234, to establish a Public Works Littering and Nuisance Violation Reward Fund, to be used to reward persons who have provided information leading to the collection of those penalties.

12/7/2004, AMENDED.

12/7/2004, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Dufty, Elsbernd

2. 041336 [Police alarm ordinance; technical changes to billing and remittance requirements for alarm companies; limiting license fee increases to \$5 increments]
Supervisor Ma
Ordinance amending the San Francisco Police Code, by amending Sections 3710.1, 3710.2, 3710.4, and 3720, to: require that alarm companies remit fees collected from customers in a single monthly check; move the billing date for license fees, beginning in 2005, from December 1 to November 1; clarify that the billing and remittance requirements of the Article only apply to those alarm monitoring companies having a direct contractual relationship with the alarm user; clarify that alarm companies shall only be held responsible for the unpaid license fees of their customers where the company has failed to take reasonable steps to collect the fees, and provide a minimum threshold of what constitutes "reasonable steps"; and, limit license fee increases to five-dollar increments. (Emergency Communications Department)

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Finance and Audits Committee

Present: Supervisors Daly, Peskin

3. 041450 [Commodities or services purchased with federal grant funds for the enhancement of homeland security]
Supervisors Ma, Daly
Ordinance amending San Francisco Administrative Code Section 21.5 to allow the Purchaser to develop regulations for the purchase of commodities or services using federal grant funds for the enhancement of homeland security where the purchase does not exceed \$100,000.

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

4. 041459 [Alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility]
Supervisor McGoldrick
Ordinance authorizing the Recreation and Park Commission to implement an alternative bid process for construction trade packages for the construction of the California Academy of Sciences Facility.

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

5. 041395 **[Notification in the Voter Information Pamphlet of a candidate's adoption of voluntary expenditure ceiling]**
Supervisors Gonzalez, Daly, Ammiano
Ordinance amending section 1.128 of the San Francisco Campaign and Governmental Conduct Code to specify the size and content of the notice in the Voter Information Pamphlet regarding whether a candidate has adopted the applicable voluntary expenditure ceiling.
- 12/7/2004, PASSED ON FIRST READING. Supervisors Ammiano and Daly requested to be added as co-sponsors.
Question: Shall this Ordinance be **FINALLY PASSED?**
6. 041456 **[Contribution limits for contractors doing business with the Unified School District and Community College District]**
Supervisors Gonzalez, Alioto-Pier, Daly, Ammiano
Ordinance amending section 1.126 of the Campaign and Governmental Conduct Code to extend the contractor contribution limits imposed by that section to contractors doing business with the San Francisco Unified School District and the San Francisco Community College District.
- 12/7/2004, PASSED ON FIRST READING. Supervisors Ammiano and Daly requested to be added as co-sponsors.
Question: Shall this Ordinance be **FINALLY PASSED?**
7. 041484 **[Settlement of the Lawsuit - Pamela Nash]**
Ordinance authorizing settlement of the lawsuit filed by Pamela Nash against the City and County of San Francisco for \$100,000; the lawsuit was filed on February 7, 2003, in the United States District Court, Northern District of California, Case No. C-03-01221-CW; entitled Pamela Nash v. City and County of San Francisco, et. al.
- Question: Shall this Ordinance be **PASSED ON FIRST READING?**
8. 041514 **[Settlement of Claim - Jon Wesley Hopkins]**
Resolution approving the settlement of the unlitigated claim filed by Jon Wesley Hopkins against San Francisco for \$35,000; claim was filed on August 4, 2004.
(City Attorney)
- Question: Shall this Resolution be **ADOPTED?**
9. 041050 **[Appointment - Veterans Affairs Commission]**
Resolution appointing Brian Zweir, term ending January 31, 2006, to the Veterans Affairs Commission.
Brian Zweir, succeeding Christopher Michel, resigned, seat 10, must be an at-large appointment, for the unexpired portion of a four-year term ending January 31, 2006.
- Question: Shall this Resolution be **ADOPTED?**

Present: Supervisors Maxwell, Gonzalez

10. 041668

[Appointment - Commission on the Aging Advisory Council]

Resolution appointing Luis Calderon, term ending March 31, 2006, to the Commission on the Aging Advisory Council.

Luis Calderon, succeeding himself, term expired, seat 7, must be nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending March 31, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

UNFINISHED BUSINESS

REGULAR AGENDA

From the City Services Committee "Without Recommendation"

Present: Supervisors Dufty, Elsbernd, Gonzalez

11. 041461 [S.F. Zoo-Keeping Elephants Prohibited]

Supervisors Gonzalez, Dufty, Daly

Ordinance adding Section 5.09 to the Park Code to require that a City Department or contractor must request permission from the City to keep elephants at the San Francisco Zoo, and the City Department or contractor shall first complete certain improvements at the Zoo before making such a request; and requiring annual updates on the status of improvements at the Zoo, beginning in November 2005.

12/7/2004, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/7/2004, PASSED ON FIRST READING AS AMENDED. Supervisor Daly requested to be added as co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

12. 041539 [Zoning Map Amendment in connection with Hunters Point Redevelopment Project Area]

Mayor, Supervisor Maxwell

Ordinance amending Zoning Map Sheets 9 and 9H of the City and County of San Francisco to eliminate use districts and height and bulk districts within Assessor's Block 4591A, the Hunters Point Redevelopment Plan area, and instead reference the Hunters Point Shipyard Redevelopment Plan; and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

13. 041535 [General Plan Amendments Concerning Hunters Point Shipyard Redevelopment Plan]

Mayor, Supervisor Maxwell

Ordinance amending the San Francisco General Plan to make the General Plan consistent with the Hunters Point Shipyard Redevelopment Plan, and making various findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 041541 [Hunters Point Shipyard - Health Code]
Mayor, Supervisor Maxwell
Ordinance adding Article 31 to the Health Code and amending sections 659, 1120.1 and 1227 of the Health Code to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and to authorize the Department of Public Health to implement these restrictions, impose penalties, and charge fees to defray the costs of implementation; and making environmental findings.
- 12/7/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
15. 041544 [Hunters Point Shipyard - Subdivision Code]
Mayor, Supervisor Maxwell
Ordinance amending the San Francisco Subdivision Code by adding the Hunters Point Shipyard Subdivision Code, Division 3, Article 1-8, Sections 1600 et seq. and making environmental findings.
- 12/7/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
16. 041538 [Hunters Point Shipyard - Public Works Code]
Mayor, Supervisor Maxwell
Ordinance amending the Public Works Code to add Sections 2.3.1, 2.3.2, 2.3.3 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making specified findings.
- 12/7/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?
17. 041540 [Hunters Point Shipyard - Building Code]
Mayor, Supervisor Maxwell
Ordinance amending the Building Code to add Section 106.3.2.5 to establish special restrictions for activities on the Hunters Point Shipyard to address potential residual contamination and making environmental findings.
- 12/7/2004, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

18. 041536 [Creating a graduated code compliance plan for non-residential buildings at naval bases transferred to the City, the Redevelopment Agency, or the Treasure Island Development Authority]
Mayor, Supervisor Maxwell
- Ordinance amending the Building Code to add Section 3409 to provide that building and structures located on the Naval Station Treasure Island (including Yerba Buena Island) and Hunters Point Naval Shipyard may comply with the requirements of the Building Code in a graduated manner over a period not to exceed seven years provided that: the buildings or structures were in existence at the time the bases were selected for closure, the Director of the Department of Building Inspection and the Fire Marshal determine that the buildings or structures are safe for their intended use and occupancy, the buildings or structures have been leased or transferred by the Federal Government to the City, the Redevelopment Agency, or the Treasure Island Development Authority, and the buildings or structures meet the code compliance inspection and graduated compliance plan requirements specified, to authorize the Department of Building Inspection and the Fire Department to charge the Redevelopment Agency or the City fees for time and materials expended in responding to requests for inspection and performing other tasks associated with the graduated compliance plan program, and to provide that this Section shall not go into effect until the graduated compliance plan has been filed with the California Building Standards Commission and shall remain in effect until January 1, 2007 or until seven years after the lease or transfer of buildings or structures subject to this Section, as long as that lease or transfer occurs prior to January 1, 2007, unless a state statute deletes or extends the time period for a local agency to operate under a graduated code compliance plan under California Health and Safety Code Section 18941.9 and making environmental findings.

12/7/2004, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 041537 [Hunters Point Shipyard Joint Community Facilities Agreement]
Mayor, Supervisor Maxwell
- Resolution approving and authorizing a Joint Community Facilities Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco in furtherance of the adoption and implementation of the Redevelopment Plan for the Hunters Point Shipyard, specifically the Hunters Point Phase One Improvements, and making environmental findings.
- 12/7/2004, CONTINUED. Continued to December 14, 2004
- Question: Shall this Resolution be ADOPTED?
20. 041542 [Hunters Point Shipyard- Resolution of Intent for Street Vacation]
Mayor, Supervisor Maxwell
- Resolution declaring the intention of the Board of Supervisors to vacate portions of McKinnon Avenue, La Salle Avenue, Kirkwood Avenue, Jerrold Avenue, Innes Avenue, Hudson Avenue, Boalt Street, Coleman Street, Donahue Street, and Earl Street in Hunters Point Shipyard Parcel "A-1" and Oakdale Avenue, Newcomb Avenue, McKinnon Avenue, La Salle Avenue, Fitch Street, and Earl Street in Hunters Point Shipyard Parcel "A-2" along with public service easements in the aforementioned locations in the Hunters Point Shipyard; setting the hearing date for all persons interested in the proposed vacation of said street areas and public service easements.

12/7/2004, CONTINUED. Continued to December 14, 2004

Question: Shall this Resolution be ADOPTED?

21. 041270 [Parking Regulations]**Supervisor McGoldrick**

Resolution enacting and rescinding parking regulations at various locations.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

O'Farrell Street, north side, from Van Ness Avenue to Polk Street, eliminating 13 parking meters.

TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Polk Street to Larkin Street.

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

820 O'Farrell Street at Larkin Street, northwest corner, from Larkin Street to 94 feet westerly eliminating parking meter nos. 802, 804, 806 and 808, (to create a 94-foot left turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

895 O'Farrell Street at Polk Street, southeast corner, from 81 feet to 99 feet east of Polk Street, extending bus zone by 18 feet).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Larkin Street to Hyde Street (establishing eleven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Larkin Street to Hyde Street (establishing ten parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

709 O'Farrell Street at Hyde Street, southwest corner, from Hyde Street to 90 feet westerly, (to create a 90-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, north side, from Hyde Street to Leavenworth Street (establishing seven parking meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH

O'Farrell Street, south side, from Hyde Street to Leavenworth Street (establishing six parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

608 O'Farrell Street at Leavenworth Street, northwest corner side, from Leavenworth Street to Harlem Alley, (to create a 76-foot left-turn pocket during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

501 O'Farrell Street at Jones Street, southwest corner, from Jones Street to 96 feet westerly, (to create a 96-foot right-turn pocket).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
O'Farrell Street, north side, from Leavenworth Street to Jones Street.

GENERAL METERED PARKING 9 AM TO 4 PM, MONDAY THROUGH SATURDAY -
ESTABLISH
O'Farrell Street, north side, from Leavenworth Street to Jones Street (establishing nine parking
meters).

GENERAL METERED PARKING 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -
ESTABLISH
O'Farrell Street, south side, from Leavenworth Street to Jones Street (establishing nine parking
meters).

NO STOPPING ANYTIME - REVOKE
METERED YELLOW ZONE, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY - ESTABLISH
340 O'Farrell Street, north side, from 245 feet to 289 feet east of Taylor Street (44-foot zone
establishing two meters).

NO STOPPING ANYTIME - REVOKE
GENERAL METERED PARKING, 9 AM TO 4 PM, MONDAY THROUGH FRIDAY -
ESTABLISH
360 O'Farrell Street, north side, from 85 feet to 245 feet east of Taylor Street (160-foot zone
establishing eight meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
451 O'Farrell Street, south side, from 107 feet to 251 feet east of Jones Street (eliminates meters nos.
429, 427, 425, 421 and 419 to establish a 110-foot bus zone bulb out with 17 foot tapers on each
end).

TOW AWAY NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
O'Farrell Street, north side, from Jones Street to Taylor Street.

TOW AWAY NO STOPPING ANYTIME - REVOKE
TOW AWAY NO STOPPING, 7 AM TO 9 AM AND 4 PM TO 6 PM, MONDAY THROUGH
FRIDAY - ESTABLISH
O'Farrell Street, north side, from Taylor Street to Mason Street.

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY -
ESTABLISH
Geary Street, north and south sides, from Larkin Street to Polk Street (establishing twelve meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
1064 Geary Street at Van Ness Avenue, northeast corner, from Van Ness Avenue to 88 feet easterly,
(to create an 88-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
1020 -1054 Geary Street, north side, from 96 feet to 236 feet west of Polk Street (144-foot zone
eliminates parking meters 1012, 1014, 1016, 1020, 1024, and 1028 to establish a bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH
990 Geary Street at Polk Street, northeast corner, from Polk Street to 100 feet easterly (to create a
100-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

999 Geary Street at Polk Street, southeast corner, from Polk Street to 92 feet easterly, (to create a 92-foot left-turn pocket during non-peak hours).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Hyde Street to Larkin Street (establishing fifteen meters).

GENERAL METERED PARKING 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, from Leavenworth Street to Hyde Street (establishing sixteen meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

894 Geary Street at Larkin Street, northeast corner, from Larkin Street to 57 feet easterly, (to create a 57-foot right-turn pocket).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

700 Geary Street at Leavenworth Street, northwest corner, from Leavenworth Street to 134 feet westerly, (establishing a 120-foot bus zone bus bulb, with 12-foot taper at the west end).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

795 Geary Street at Hyde Street, southeast corner, from Hyde Street to 80 feet easterly (to create an 80-foot left-turn pocket, during non-peak hours).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

684 Geary Street at Leavenworth Street, northeast corner, from Leavenworth Street to 90 feet easterly, (to create a 90-foot right-turn pocket).

GENERAL METERED PARKING, 7 AM TO 4 PM, MONDAY THROUGH SATURDAY - ESTABLISH

Geary Street, north and south sides, between Jones Street and Leavenworth Street (establishing ten general parking meters).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

520 Geary Street at Taylor Street, north side, from 75 feet to 100 feet west of Taylor Street (eliminates yellow zone meter no. 508 extending existing bus zone by 25 feet).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

585 Geary Street at Jones Street, southeast corner, from Jones Street to 84 feet easterly, (to create an 84-foot left-turn pocket during non-peak hours, eliminates parking meter nos. 593, 595, 597 and 599).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

391 Geary Street at Mason Street, southeast corner, from Mason Street to 82 feet easterly, (to create an 82-foot left turn pocket, during non-peak hours, eliminates yellow zone meter nos. 337, 339 and 341).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

10 Geary Street, north side, from 90 feet to 130 feet west of Kearny Street (eliminates yellow zone meter nos. 14 and 16 to extend existing bus zone bus bulb).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

100 Geary Street at Grant Avenue northeast corner, from Grant Avenue to 72 feet easterly, (to create a 72-foot right turn pocket, eliminating yellow zone parking meter no. 38).

TOW AWAY NO STOPPING ANYTIME - ESTABLISH

310 Geary Street, north side, from 95 feet to 135 feet west of Powell Street (eliminates yellow zone meters 18 and 22 to extend existing bus zone).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

10/26/2004, CONTINUED. Continued to November 23, 2004

11/23/2004, CONTINUED. Continued to December 14, 2004

Question: Shall this Resolution be ADOPTED?

22. 041271

[Traffic Regulations]**Supervisor McGoldrick**

Resolution enacting and rescinding traffic regulations on various streets.

**TRANSIT (CURB) LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM,
MONDAY THROUGH FRIDAY - REVOKE**

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Hyde and Leavenworth Streets.

**TOW AWAY NO STOPPING, BUSES, TAXIS AND RIGHT TURNS ONLY, 7 AM TO 9 PM,
MONDAY THROUGH FRIDAY - REVOKE**

RIGHT LANE- BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
O'Farrell Street, south side, between Leavenworth and Jones Streets.

**TOW AWAY LANE (NORTH SIDE) - BUSES, TAXIS AND RIGHT TURNS ONLY, 4 PM TO 6
PM, MONDAY THROUGH FRIDAY - REVOKE**

RIGHT LANE - BUSES, TAXIS AND RIGHT TURNS ONLY, AT ALL TIMES - ESTABLISH
300 block of Geary Street (transit lane).

(9/9/04: Environmental review completed pursuant to the California Environmental Quality Act: "Certificate of Determination of Exemption/Exclusion from Environmental Review, 2004.0744E, Geary Transit Corridor Improvements," City and County of San Francisco Planning Department September 7, 2004; DPT Order No. 2880.)

10/26/2004, CONTINUED. Continued to November 23, 2004

11/23/2004, CONTINUED. Continued to December 14, 2004

Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Finance and Audits Committee

Present: Supervisors Daly, Peskin, Ammiano

23. 041466 [Extending the Yerba Buena Center Redevelopment Plan by One Year]
Supervisor Daly
Ordinance amending the Yerba Buena Center Redevelopment Plan to extend by one year the time limit on the effectiveness of the Yerba Buena Center Redevelopment Plan and the time limit to receive property taxes and repay indebtedness pursuant to Senate Bill 1045.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
24. 041492 [Appropriate funding from the General Reserve to increase available funding in the Department of Public Health for self-help services to the homeless]
Supervisor Daly
Ordinance appropriating \$283,809 from the General Fund Reserve to fund peer based self-help services for chronically homeless people in the Tenderloin for the Department of Public Health for fiscal year 2004-2005.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
25. 041583 [Appropriate fund balance for the Port of San Francisco's Pier 35 Security Enhancements Project (Port's Cruise Ship Terminal)]
Mayor
Ordinance appropriating \$980,349 of unappropriated fund balance from the Port for the Pier 35 Security Enhancement Project, the Port's Cruise Ship Terminal, to fund the second phase of the construction contract for Fiscal Year 2004-05.
(Fiscal impact.)
- Question: Shall this Ordinance be PASSED ON FIRST READING?
26. 041588 [License Fees]
Supervisor Daly
Ordinance amending the San Francisco Municipal Code Business and Tax Regulations Code by amending Sections 35, 120, 248, 249.1, and 249.12, relating to fees for licenses or permits for inspections by the Department of Public Health.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 041522 [Amendment to Paratransit Broker Agreement]
Resolution approving Amendment No. 4 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to extend the current five-year contract for three years, through March 31, 2008, and to increase the contract amount by \$65,379,606, for a total contract amount not to exceed \$158,021,539.
(Municipal Transportation Agency)
- Question: Shall this Resolution be ADOPTED?
28. 041612 [Creating a Community Choice Aggregation Citizens Advisory Task Force]
Supervisor Ammiano
Resolution creating a citizens advisory task force to advise the City and County of San Francisco regarding the design and implementation of a Community Choice Aggregation program in accordance with ordinance 86-04.
- Question: Shall this Resolution be ADOPTED?
29. 041621 [Establishing an Arts Task Force to Advise Board of Supervisors and Mayor]
Supervisor Ammiano
Resolution establishing an Arts Task Force to make recommendations to the Board of Supervisors and Mayor and setting forth the membership and duties of the Task Force.
- Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors McGoldrick, Peskin, Maxwell

30. 041067 [Amending Planning Code Section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District]
Supervisor Gonzalez
Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Haight Street Neighborhood Commercial District and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 041393 [Showplace Square Interim Controls]**Supervisor Maxwell**

Resolution imposing for twelve months interim zoning controls on specific lots within Showplace Square generally bounded by 7th, Bryant, Potrero and 25th Streets and within the area identified as Production Cluster on the accompanying map that would (a) consider production, distribution and repair (PDR) a principal use if PDR activities occupy 50 percent or more of the total occupied space of the property, (b) permit office, retail and housing uses subject to certain conditions, and (c) permit displacement of PDR space or demolition of an industrial building only if it is demonstrated that the building is unsound or if the new building increases the amount of PDR space; imposing the same controls as nonbinding policies on specific lots within the Showplace Square area that are identified as Design Cluster on the accompanying map, except that design PDR are strongly encouraged and the displacement of PDR space and demolition of an industrial building are particularly discouraged in the case of an historical brick building; adopting findings.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Maxwell, Alioto-Pier, Gonzalez

32. 041487 [Mayor's Office on Disability]**Supervisor Alioto-Pier**

Ordinance amending the San Francisco Administrative Code by amending the title to Chapter 2A, Article 1 to add the Department of Administrative Services and by adding a new Section 2A.22 to Chapter 2A, Article 1 to create the Mayor's Office on Disability and place it within the Department of Administrative Services and empower the Mayor's Office on Disability to issue, subject to approval by ordinance of the Board of Supervisors, policies and procedures with respect to compliance with the Americans with Disabilities Act (Public Law 101-336) and other disability rights laws and disability access regulations and codes.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 041579 [Charter Amendment Deadlines]**Supervisor Elsbernd**

Ordinance amending Section 305 of the Elections Code to require introduction of proposed Charter Amendments not less than 210 days prior to an election and to require an informational committee hearing regarding the proposed Charter Amendment no earlier than 30 days nor later than 60 days after introduction of the proposed Charter Amendment.

Supervisor Gonzalez dissented in Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, Gonzalez

34. 041669 [Appointment - Bay Area Air Quality Management District Board of Directors]
Resolution appointing Supervisor Chris Daly, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.
Supervisor Chris Daly, succeeding himself, term expiring February 1, 2005, seat 2, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

35. 041678 [Fourth Annual Youth Recognition Day]
Fourth Annual Youth Recognition Day Presentation.
(Clerk of the Board)

Action: _____

SPECIAL ORDER 4:00 P.M.**APPEAL PROCEDURES**

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

- 1. Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
- 2. Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
- 3. Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
- 4. Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
- 5. Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

36. 041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16, 2004

11/16/2004, CONTINUED. Continued to December 14, 2004

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

37. 041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
Question: Shall this Motion be APPROVED?
38. 041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
Question: Shall this Motion be APPROVED?
39. 041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
- 10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.**40. 041652 [Public Hearing - Appeal, Conditional Use - 829 Folsom Street]**

Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 16872 dated October 21, 2004, approving a conditional use authorization, Case No. 2003.0304C to: (1) Allow an 85-foot tall structure above the 40-foot base height under Planning Code Sections 263.11(b) and (e); (2) Allow dwelling units at a density greater than one unit per 200 square feet of lot area under Section 207.5; (3) Allow exceptions to the bulk limits of the 85-B Bulk District above 50 feet in height as stated in Planning Code Section 270 and pursuant to the Planning Code Section 271(a); (b) and (c); and (4) Provide off-street parking in excess of accessory amounts as defined in Planning Code Section 204.5 pursuant to Planning Code Section 157(a), (b), and (d). The site is within the RSD (Residential Service District), and is within a 40-X/85-B Height and Bulk District, and is subject to interim policies of the South of Market Housing/Mixed Use Overlay District per Resolution No. 16727, located at 829 Folsom Street, south side, between 4th and 5th Streets; Lot 091 in Assessor's Block 3752. (Appellant: Hope Whitney, Farella Braun + Martel LLP, representing Yerba Buena Lofts Homeowners' Association.)
(Filed 11/22/04; companion measure to Files 141653, 141654, 041655, 041656; District 6.)

Action: _____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)**41. 041653 [Appeal, Conditional Use - 829 Folsom Street]**

Motion approving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. 041654 [Appeal, Conditional Use - 829 Folsom Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16872, approving Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

43. 041656 [Environmental Review - 829 Folsom Street]
Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 829 Folsom Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?
44. 041655 [Findings - 829 Folsom Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2003.0304C on property located at 829 Folsom Street, for action by the Board at its next meeting.
(Clerk of the Board)
- Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget Committee at a Regular Meeting on Thursday, December 9, 2004, at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, December 14, 2004.

45. 041711 [De-appropriate funding from the San Francisco Convention Facilities Management Visitors Bureau and reappropriate these funds to the Dept. of Public Health for Fiscal Year 2004-05.]
Supervisor Sandoval
Ordinance amending the Annual Appropriation Ordinance by reducing the appropriation to the Convention Facilities Management Visitors Bureau for professional services in the amount of \$3,660,500 for Fiscal Year 2004-05 and re-appropriating \$2,525,000 to the Department of Public Health's primary care health services including Tom Waddell Clinic and to fund HIV/AIDS Services.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
46. 041713 [De-appropriate from the Dept. of Economic and Workforce Development \$168,621 for Fiscal Year 2004-05]
Supervisor Sandoval
Ordinance amending the Annual Appropriation Ordinance by reducing a total appropriation from the Department of Economic and Workforce Development of \$168,621 for the Fiscal Year 2004-05.
- Question: Shall this Ordinance be PASSED ON FIRST READING?
47. 041586 [Public Employment - Department of Business and Economic Development]
Supervisor Sandoval
Ordinance amending Ordinance No. 198-04 (Annual Salary Ordinance 2004/2005) reflecting the deletion of 1.50 full time equivalent (FTE) positions at the Department of Business and Economic Development.
- Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items were considered by the Land Use Committee at a Regular Meeting on Monday, December 13, 2004 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as committee reports on Tuesday, December 14, 2004.

48. 041664 [Hunters Point Shipyard - Health Code - Fees]
Ordinance amending the Health Code by adding section 3108 to authorize the Department of Public Health to charge fees to defray the costs of implementation of Article 31 of the Health Code and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

49. 041665 [Hunters Point Shipyard - Subdivision Code - Fees]
Ordinance amending the San Francisco Subdivision Code by adding Sections 1615, 1649, and 1664(e) to establish fees to defray the costs of implementation of Subdivision code, Division 3, Articles 1-8 and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

50. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

51. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 52 through 69

52. 041618 [Emperor Norton Bridge]
 Supervisors Peskin, Ammiano
 Resolution urging the California Department of Transportation and members of the California Assembly and Senate to name the new additions to the San Francisco Bay Bridge in honor of Emperor Norton I, Emperor of the United States and Protector of Mexico.
- 11/23/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- 12/7/2004, CONTINUED. Continued to December 14, 2004
Supervisor Ammiano requested to be added as a co-sponsor.
- Question: Shall this Resolution be ADOPTED?
53. 041680 [Supporting the Demands of Caregivers at Sutter Health Hospitals]
 Supervisors Peskin, Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, McGoldrick, Sandoval
 Resolution urging Sutter Health to join other northern California hospital systems to adopt new policies to better meet patient and Caregiver needs.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
54. 041681 [Commending Deputy City Attorney Kevin Scott Dickey]
 Supervisor Dufty
 Resolution commending Kevin Scott Dickey for eight years of exemplary public service to San Francisco as a Deputy City Attorney, and wishing him well in his future endeavors at Meyers Nave Riback Silver & Wilson.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
55. 041685 [Wells Fargo Loan for Façade Improvement Program]
 Supervisors Elsbernd, Dufty
 Resolution approving the City's acceptance of a \$500,000 Loan from Wells Fargo Bank for the purpose of providing low-interest Façade Improvement Loans in low-income neighborhoods of San Francisco.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

56. 041701 [Supporting AB19 - Religious Freedom and Civil Marriage Act]
Supervisors Ammiano, Dufty
Resolution urging the California Assembly and Senate and the Governor of California to support Assembly Bill 19 (AB19), the "Religious Freedom and Civil Marriage Act", which defines marriage as a civil contract between two people.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
57. 041702 [United Church of Christ Ad]
Supervisors Ammiano, Dufty
Resolution urging CBS and NBC to rescind their decisions to reject airing of the United Church of Christ advertisement promoting tolerance and acceptance of same-sex couples.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
58. 041704 [Commending John Arntz and the Department of Elections]
Supervisors Elsbernd, Maxwell, Alioto-Pier, Dufty
Resolution commending John Arntz and the Department of Elections for their outstanding accomplishments.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
59. 041705 [Urging the City Controller to provide comprehensive information regarding City Committees, Subcommittees, Task Forces and Boards]
Supervisor Gonzalez
Resolution urging the City Controller to provide comprehensive information regarding City Committees, Subcommittees, Task Forces and Boards.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
60. 041706 [Accept-Expend Federal/State Grant - Threat Management/Stalking Vertical Prosecution Program]
Supervisors Ma, Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$116,638 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Threat Management/Stalking Vertical Prosecution Program."
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

61. 041707 [Commending David Hardiman]
Supervisor Ma
Resolution commending David Hardiman on the occasion of his retirement.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
62. 041708 [Accept-Expend Federal Grant - Gang Resistance Education and Training (G.R.E.A.T.)]
Supervisors Maxwell, Dufty
Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Bureau of Justice Assistance, Office of Justice Programs for a project entitled Gang Resistance Education and Training (G.R.E.A.T.).
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
63. 041709 [Endorsing efforts between WestEd, Stanford Medical Center, and the SFUSD to collaborate on a five year research study on trauma]
Supervisors Maxwell, Dufty
Resolution endorsing efforts between WestEd, Stanford Medical Center, and the San Francisco Unified School District to collaborate on a five year research study on trauma and its effects on learning and executive functions in hopes of improving the cognitive learning functions of children effected by violence.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
64. 041710 [Accept-Expend Federal Grant - Spousal Abuser Prosecution Program]
Supervisors Alioto-Pier, Dufty
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of \$95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program."
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?
65. 041721 [Apply for Whale Tail State Grant from the California Coastal Commission]
Supervisor Maxwell
Resolution authorizing the Department of the Environment to apply for a grant in the amount of \$50,000 from the California Coastal Commission for teaching San Francisco students about water pollution prevention and protecting our bay, ocean and coast.
- 12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
- Question: Shall this Resolution be ADOPTED?

66. 041722 [Support Smoke Free Movies]
Supervisor Maxwell
Resolution supporting smoke free movies.

12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

67. 041723 [Commending the San Francisco Public Library for Prop 14 Funds]
Supervisors Peskin, Elsbernd, Sandoval, McGoldrick, Dufty
Resolution commending the San Francisco Public Library for securing \$9.7 million from state Proposition 14 funds for the renovation of the historic Richmond branch library and construction of a new Ingleside branch library.

12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

68. 041699 [Needle Exchange Emergency]
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

69. 041700 [Emergency Declaration Concurrence Influenza Vaccine]
Mayor
Motion concurring in the October 12, 2004 Declaration of the Existence of a Local Emergency for Limited Purposes by the Mayor, and in the actions taken to meet the emergency.

12/7/2004, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

Questions on the For Adoption Without Committee Reference
Agenda: _____

70. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

71. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]

Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

[Imperative Resolutions, if any]

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 30, 2004 through December 6, 2004, for reference by President to appropriate committee on December 14, 2004.

041648 [Settlement of Lawsuit - Steve Potter]

Ordinance authorizing settlement of the lawsuit filed by Steve Potter against the City and County of San Francisco for \$50,000 paid to the City and County of San Francisco by Cross-Defendant OneBeacon; the lawsuit was filed on March 20, 2003 in the United States District Court, Case No. C03-1217 MEJ; entitled Steve Potter, et al., v. City and County of San Francisco, et al; other material terms of said settlement are Cross-Defendant OneBeacon will pay \$195,000 to plaintiff and plaintiff's counsel and \$100,000 to co-defendant Palace of Fine Arts Theater League.
(City Attorney)

12/2/2004, RECEIVED AND ASSIGNED to Rules Committee.

041659 [Settlement of Lawsuit - Linda Vaccarezza]

Ordinance authorizing settlement of the lawsuit filed by Linda Vaccarezza against the City and County of San Francisco for \$835,000; the lawsuit was filed on 3/12/04 in United States District Court, Case No. C04-1021; entitled Linda Vaccarezza v. City and County of San Francisco, et al.
(City Attorney)

12/6/2004, RECEIVED AND ASSIGNED to Rules Committee.

041663 [Settlement of Lawsuit - Quynh Le, et al., v. CCSF, et al.]

Ordinance authorizing settlement of the lawsuit filed by Quynh Le, Weston Ngo, Candance Phan and Candance Phan as Guardian Ad Litem of Geoffrey Ngo, a minor and Brittany Ngo, a minor against the City and County of San Francisco for a total payment of \$28,000.00; the lawsuit was filed on May 30, 2003 in San Francisco Superior Court, Case No. 420-933; entitled Quynh Le, et al., v. City and County of San Francisco, et al.
(City Attorney)

12/6/2004, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 30, 2004 through December 6, 2004, for reference by President to appropriate committee on December 14, 2004.

041651 [Expand treatment capacity for methamphetamine abuse in San Francisco]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of \$497,910 from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) to expand treatment capacity for methamphetamine abuse in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2004, to September 29, 2005.
(Public Health Department)

12/2/2004, RECEIVED AND ASSIGNED to City Services Committee.

041657 [Grant of Federal Funds]

Resolution authorizing the Municipal Transportation Agency to accept and expend \$3,976,400 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 construction projects, excluding administrative overhead costs.
(Municipal Transportation Agency)

12/3/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041658 [Contract funds to support sustainable school-based health care]

Resolution authorizing the San Francisco Department of Public Health, Balboa Teen Health Center, Community Health Programs for Youth (SFDPH), to enter retroactively into an agreement with Public Health Institute, California School Health Centers Association (PHI/CSHC) the primary contractor, and expend funds in the amount of \$18,820 to support advocacy at the local, state, and national levels for sustainable school-based health care; for the period of August 1, 2004 to July 31, 2005.
(Public Health Department)

12/3/2004, RECEIVED AND ASSIGNED to City Services Committee.

12/8/2004, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.

041660 [Accept-Expend Federal Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$30,000 from the Environmental Protection Agency to develop the San Francisco Green Healthcare Working Group consisting of local healthcare professionals and to facilitate ongoing meetings to conduct hands-on training to its members on a broad range of pollution prevention and resource conservation strategies.

(Environment)

12/6/2004, RECEIVED AND ASSIGNED to Land Use Committee.

041662 [Settlement of Claim - Third Street Lofts]

Resolution approving the settlement of the unlitigated claim filed by Third Street Lofts against San Francisco for \$100,000; claim was filed on March 11, 2003.

(City Attorney)

12/6/2004, RECEIVED AND ASSIGNED to Rules Committee.

041735 [Petitions and Communications]

Petitions and Communications received from November 30, 2004 through December 6, 2004, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 14, 2004.

From various signators, submitting Form 700 Statement of Economic Interests:

Hilary Pedigo, Legislative Assistant to Supervisor Gerardo Sandoval

Jerry Threet, Legislative Assistant to Supervisor Jake McGoldrick

Ross Mirkarimi, Supervisor-Elect (1)

From Peter Warfield, submitting two petitions opposing proposed cuts in open hours at the Park Branch and Marina Branch libraries. 220 signatures (2)

From James Chaffee, submitting press release regarding the Library Commission's decision not to cut hours at the Park and Marina Branch libraries in response to public outcry. Copy: Each Supervisor (3)

From Panaka Chea, submitting request for transfer of an off-sale beer and wine license for the "Golden Produce Extension" from 1301 Sixth Street to 130 Church Street. (4)

From Office of the City Attorney, submitting memorandum on proposed legislation regarding increased penalties for illegal dumping. File 040561, Copy: Each Supervisor (5)

From Office of the City Attorney, submitting advice on whether an appeal of mitigated negative declaration for property located at 329 Bay Street was filed in a timely manner with the Board of Supervisors. (6)

From Police Department, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (7)

From Recreation and Park Department, regarding steps that has been taken to make McLaren Park cleaner and safer. (Reference No. 20041005-005) Copy: Supervisor Sandoval (8)

From Law Library, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (9)

From Human Rights Commission, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (10)

From Sal Rosselli, submitting copy of letter sent to the CEO of Sutter Health about some of the issues involved in the current collective bargaining between Service Employees International Union Local 250 and Sutter Health and its affiliates. (11)

From Eric Lee, submitting request for a type 42 on-sale beer and wine license for "Space for Architecture" located at 116 Natoma Street. (12)

From Department of Public Works, submitting copy of letter sent to constituent regarding request for a Minor Sidewalk Encroachment permit for property located at 1308-1312 Hayes Street. (13)

From Department of Parking and Traffic, submitting fiscal year 2004-05 Efficiency Plan for the Department of Parking and Traffic. (14)

From Department of Elections, submitting Certification of Election Results for the November 2, 2004 Consolidated General Election. (15)

From Public Utilities Commission, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (16)

From the Port, submitting quarterly report pursuant to Annual Appropriation Ordinance, Section 23 in fiscal year 2004-05. (17)

From Robert Wertz, commenting how ridiculous it is to preclude children from singing in a public space (Union Square) and yet allowing people living, hustling, littering and defecating, and the rules don't apply. (18)

From U. S. Department of the Interior, submitting notice that the Department is accepting public comment on a draft recovery plan for the tidewater goby, a small federally endangered fish. (19)

From concerned citizens, submitting opposition to re-directing substantial funds allocated from the hotel tax to the San Francisco Convention and Visitors Bureau to other city services. File 041585, Copy: Each Supervisor (20)

From concerned citizens, submitting opposition to propose cut in hours at the Park and or Marina Branch libraries. 22 letters (21)

From Adrian Field, commenting on an ABC, Channel 7 article regarding problems and difficulties at the Recreation and Park Department. (22)

From David Lasker, urging the Board of Supervisors to urge the Recreation and Park Department to provide badly needed general maintenance and trimming of the palm trees at the Gene Friend Recreation Center. Copy: Supervisor Daly (23)

From concerned citizens, submitting support for proposed legislation renaming the western span of the Bay Bridge from San Francisco to Oakland "The Emperor Norton Bridge". File 041618, Copy: Each Supervisor (24)

From S.F. Community Clinic Consortium, submitting support for proposed legislation to legalize the sale of syringes without a prescription. Copy: Each Supervisor (25)

From Babette Drefke, submitting support for Interim Zoning Controls for the Potrero Hill neighborhood. File 041393, Copy: Each Supervisor (26)

From Mayor's Office of Community Development, regarding notice of availability of Request for Proposals. Copy: Each Supervisor (27)

From S.F. Architectural Heritage, commenting that Heritage is extremely concerned that the \$400,000 earmarked for historic resource surveys is proposed for elimination. File 041590, Copy: Each Supervisor (28)

From Eula Walters, submitting opposition to any building or extra cement or brick on Ferry Park (Block 202 & 203). (29)

From concerned citizens, submitting support for legislation prohibiting elephants in the San Francisco Zoo. File 041461, Copy: Each Supervisor (30)

ADJOURNMENT



